

ACTS AND RESOLUTIONS

OF THE

THIRD SESSION

OF THE

PROVISIONAL CONGRESS

OF THE

CONFEDERATE STATES,

HELD AT RICHMOND, VA.

RICHMOND:

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ACTS AND RESOLUTIONS.

No. 193.]

AN ACT

To authorize the appointment of Agents to sign Treasury Notes.

SECTION 1. *The Congress of the Confederate States do enact,* That the Secretary of the Treasury is authorized to appoint officers to assist the Register and Treasurer in preparing and signing such Treasury Notes as are already authorized, or may hereafter be authorized, by act of Congress; and the signature of any such officer in behalf of the Register or of the Treasurer, shall be as effectual to all intents and purposes, as if the same had been made by the Register or the Treasurer in person.

APPROVED, July 24, 1861.

No. 194.]

AN ACT

Relating to the Pre-payment of Postage in certain cases.

SECTION 1. *The Congress of the Confederate States of America do enact,* That all letters and other matter authorized by law to be transmitted through the mails, written or sent by any officer, musician or private of the army engaged in the actual service of the Confederate States, may be transmitted through the mails to any other place in the Confederate States without pre-payment of postage, but leaving such postage to be collected upon the delivery of such letters or other matter; *Provided,* nevertheless, that in all such cases, the letters and other mail matter so sent shall be endorsed with the name, and shall be on account of the individual sending the same, and shall contain a description of the party who

sends the same, by endorsement of his military title, if an officer, or of the company and regiment to which he belongs, if a musician or private.

SEC. 2. That letters and other mail matter sent to any officer, musician or private, in the Confederate States Army, at any point from which the said officer, musician or private may have been lawfully removed, shall be forwarded to the person to whom directed at the post office nearest which he may have been removed, free of additional postage.

SEC. 3. That on letters transmitted by a member of Congress, with his official signature endorsed on the same, prepayment of postage shall not be required, but the same may be paid on the delivery of the letters thus transmitted.

SEC. 4. Any person attempting to violate the provisions of this act shall be guilty of a misdemeanor, and shall forfeit and pay the sum of twenty dollars, to be recovered before any Justice of the Peace having cognizance thereof.

APPROVED, July 29, 1861.

No. 195.]

A RESOLUTION

To dispose of Donations made by certain Churches on the late Fast Day.

Resolved by the Congress of the Confederate States of America, That the sum of five thousand two hundred and seventy-eight dollars and eighty-eight cents, reported by the Secretary of the Treasury as received into the Treasury from donations by churches, on the late fast day, be appropriated as a fund for the use of the soldiers and officers wounded at the late battle of Manassas; and that the same be disbursed and applied by the Secretary of the Treasury, with the concurrence of the Chairman of the Committee of the House.

APPROVED, July 30, 1861.

No. 196.]

RESOLUTIONS

In relation to the First Regiment of North Carolina Volunteers.

Resolved by the Congress of the Confederate States of Ame-

rica, That the President be and he is hereby, authorized to receive and muster, into the service of the Confederate States of America, the First Regiment of North Carolina Volunteers, now stationed at Yorktown, for the term of six months, from the time they were sworn in and mustered into the service of North Carolina, and to discharge them after the expiration of that period; said period to commence at the time the first company of said regiment was mustered into the service of North Carolina.

Resolved, further. That the Cadets from the North Carolina Institute, at Charlotte, who may have been acting with said regiment, be mustered into service in the same manner as the residue of the regiment, and recognized as part thereof, with the pay of privates.

APPROVED, July 30, 1861.

No. 197.]

AN ACT

Relative to money deposited in the Registries and Receivers
of the Courts.

SECTION 1. *The Congress of the Confederate States of America do enact*, That all moneys heretofore paid into the Registries and Receivers of the several Courts of the United States, formerly existing in these Confederate States, shall be deposited in the Treasury of the Confederate States; and it shall be the duty of the Judges of the several Courts of the Confederate States, now having jurisdiction over the disposal of the said sums of money, to withdraw the same from the Registries and Receivers of the Courts, and pay the amount thereof to the Secretary of the Treasury.

SEC. 2. It shall be the duty of the Secretary of the Treasury to issue, in lieu of the amounts of money paid to him as aforesaid, an equal amount in bonds of these Confederate States, bearing interest at five per centum per annum, divided into such sums as shall be required by the Judges making the payment; the capital and interest of said bonds being made payable only when payment thereof shall be ordered by a decree of the Court having jurisdiction over the disposal thereof. Said bonds shall be made payable to the order of the Judge of the Court by whom the payment is made into the Treasury, and of his successors in office;

and it shall be the duty of the Secretary of the Treasury to make payment of said bonds and all accruing interest, on demand and presentation thereof, accompanied by a duly certified copy of the order of Court directing such payment.

SEC. 3. That all sums of money deposited in the Registries and Receivers of the several Courts of these Confederate States, or that may hereafter be so deposited, shall, if remaining undisposed of during six months from the date of the deposit, be transferred in like manner as is above provided, to the Treasury of the Confederate States, and be replaced by bonds to be issued in like manner, and payable on the like terms and conditions, in all respects, as provided in the second section of this act.

APPROVED August 1, 1861.

No. 198.]

AN ACT

Further to amend an Act entitled an "Act to establish the Judicial Courts of the Confederate States of America."

SECTION 1. *The Congress of the Confederate States of America, do enact*, That so much of the act approved March 16, 1861, entitled "An act to establish the Judicial Courts of the Confederate States of America," as directs the holding of a session of the Supreme Court of the Confederate States in January next, be, and the same is hereby repealed; and no session of the Supreme Court shall be held until that Court shall be organized under the provisions of the Permanent Constitution of the Confederate States, and the laws passed in pursuance thereof.

SEC. 2. All writs of error and appeals taken or prosecuted from the District Courts of the Confederate States, prior to the organization of the Supreme Court, under the Permanent Constitution, shall be made returnable on the second Monday of the first term to be held by the Supreme Court, after its establishment under the Permanent Constitution.

SEC. 3. It shall be lawful for the Clerks of the several District Courts to issue writs of error under the seal of said District Courts, returnable to the Supreme Court, in the same manner, as nearly as may be, as the Clerk of the Supreme Court may, by law, issue such writs, and with the same force and effect as if issued by said Clerk of the Supreme Court.

SEC. 4. The jurisdiction of the District Courts of the Confederate States, shall extend to all cases in law or equity arising under the Revenue Laws of the Confederate States, for which other provisions are not already made by law; and, if any person shall receive any injury to his person or property, for, or on account of any act by him done, under any law of the Confederate States, for the protection or collection of the revenue, he shall be entitled to maintain suit for damage therefor, in the District Court of the Confederate States, under whose jurisdiction the party doing the injury may reside.

APPROVED July 31, 1861.

No. 199.]

AN ACT

To authorize the distribution of the proceeds of the sale of the A. B. Thompson, condemned as a prize.

The Congress of the Confederate States of America do enact, That the proceeds of the sale of the ship A. B. Thompson, taken by the Confederate States ship of war, the Lady Davis, and condemned as a prize, under a decree of the Confederate States Court, for the District of South Carolina, when paid into the Treasury, shall be distributed by the Secretary of the Navy, according to the provisions of the act of the United States of April 23d, 1800, entitled "An act for the better government of the Navy of the United States," and made of force by an act of the Congress of the Confederate States, of February 9th, 1861, entitled "An act to continue in force certain laws of the United States of America," rating Captain Elliott and his detachment—declared joint captors by the said decree—as marines, according to their respective ranks.

APPROVED August 1, 1861.

No. 200.]

AN ACT

To amend An "act to establish the Judicial Courts of the Confederate States of America.

The Congress of the Confederate States of America, do enact, That the provision in the 31st section of the "Act to

establish the Judicial Courts of the Confederate States of America," which allows mileage to the District Attorney; shall be modified to read as follows, namely, "And when there are two or more divisions in the District for which he is appointed, he shall be allowed mileage at the rate of ten cents per mile, for going to and returning from the Court which is most distant from his place of residence; to be computed on the most usual line of travel."

APPROVED August 1, 1861.

No. 201.]

AN ACT

To make provision for the care of supplies for the sick and wounded.

The Congress of the Confederate States of America do enact, That the Secretary of War shall forthwith appoint a clerk in the office of the Surgeon-General, to take charge of all Hospital supplies and other articles which may be contributed for the use of the sick and wounded; and the same to dispose of, according to the wishes of the contributors, under the direction of the Medical Department of the army; the salary of the said clerk not to exceed one thousand dollars; and the said clerk shall be authorized, under the direction of the Surgeon-General, to procure and fit up a proper place for the safe keeping and proper disposal of the said articles.

APPROVED August 2, 1861.

No. 202.]

AN ACT

To amend an Act, entitled "An act to make further provisions for the Public Defence," approved 11th May, 1861; and to amend an Act entitled "An act to increase the Military Establishment of the Confederate States;" and to amend the "Act for the establishment and organization of the Army of the Confederate States of America."

The Congress of the Confederate States of America do enact, That the third section of the act entitled "An act to make further provision for the public defence," approved 11th May, 1861, be amended by striking out of said section the words,

“detailed from the regular army;” and further, that the ninth section of the act entitled “An act to increase the military establishment of the Confederate States,” and to amend the “act for the establishment and organization of the army of the Confederate States of America,” approved 16th May, 1861, be amended, by adding thereto the following clause: “And that the President may, in his discretion, upon the application and recommendation of a Major General, or Brigadier General, appoint from civil life persons to the staff of such officer, who shall have the same rank and pay as if appointed from the army of the Confederate States.

APPROVED August 3, 1861.

No. 203.]

AN ACT

To provide for an additional field officer to volunteer battalions, and for the appointment of Assistant Adjutants General for the Provisional forces.

SECTION 1. *Be it enacted by the Congress of the Confederate States of America*, That the eighth section of the act of March 6th, 1861, “To provide for the public defence,” be, and the same is hereby, so far amended that whenever battalions of volunteers in the service of the Confederate States shall consist of not less than six companies, there may be allowed, in the discretion of the President, to each battalion so constituted, two field officers, one with the rank of Lieutenant Colonel and the other with the rank of Major.

SEC. 2. That the President be, and he is hereby, authorized to appoint for the volunteer forces in the Confederate service, as many assistant Adjutants-General as the service may require, whose rank shall correspond with the rank of the assistant Adjutants-General in the regular army, and who shall receive the same pay and allowances, according to their respective grades.

APPROVED August 2, 1861.

No. 204.]

AN ACT

To extend the provisions of an Act entitled "An act to prohibit the exportation of cotton from the Confederate States, except through the seaports of said States, and to punish persons offending therein," approved May 21, 1861.

SEC. 1. *The Congress of the Confederate States of America, do enact*, That the provisions of the above recited act be, and the same are hereby extended, and made applicable to the exportation of tobacco, sugar, rice, molasses, syrup and naval stores, from the Confederate States, from and after the tenth day of August next.

APPROVED August 2, 1861.

No. 205.]

AN ACT

To amend an act in relation to the issue of Treasury Notes.

WHEREAS, by an act of Congress, approved the 9th March 1861, the Secretary of the Treasury is authorized to issue certain Treasury Notes in lieu of a first issue of such notes; and it is provided that the whole issue shall at no time exceed one million of dollars; and it is deemed advisable now to remove the restriction, the Congress of the Confederate States of America do enact, That the other Treasury notes authorized to be issued by the Secretary of the Treasury, under the provisions of the said act, may be issued by him at any time, with the approbation of the President, either before or after the calling in of the first notes: Provided, that the whole issue outstanding at any one time shall not exceed two millions of dollars.

APPROVED August 3, 1861.

No. 206.]

AN ACT

To amend "An Act to provide Revenue from Commodities Imported from Foreign Countries," approved May 21, 1861.

The Congress of the Confederate States of America do enact, That the following alterations and amendments be, and the

same are hereby, made to the "Act to provide revenue from commodities imported from foreign countries," approved May 21, 1861, to wit: That the words "carbonate of soda," and the words "paving and roofing tiles and bricks and roofing slates and fire bricks," in schedule C of said act be, and the same are hereby, stricken out of and repealed in said schedule, and that in the same schedule C, in the enumeration of the various kinds of iron, after the word "slabs," the word "sheet or other form," are hereby inserted and made part of said schedule; and in schedule D of said act, the terms "læ sulphur" and "sulphur flour of," be, and the same are hereby, stricken out of and repealed in said schedule. And the terms "Terra Japonica and Catechu" are hereby transferred from schedule D to schedule E, they being considered in commerce as the same articles of merchandize as catechu, which is enumerated in schedule E of said act.

APPROVED August 3, 1861.

No. 207.]

AN ACT

To amend an act entitled "An Act making appropriations for the support of the navy, for the year ending fourth February, eighteen hundred and sixty-two."

The Congress of the Confederate States of America do enact, That the eighth item of said act be so amended that thirty thousand dollars be deducted from the appropriation of fifty-four thousand three hundred and sixty-three dollars therein made for the pay of officers and others at the Navy-Yard at Pensacola, and be appropriated to the same objects at the Navy-Yard at Norfolk.

APPROVED August 3, 1861.

No. 208.]

AN ACT

To provide for the safe custody, printing, publication and distribution of the laws, and to provide for the appointment of an additional Clerk in the Department of Justice.

SECTION 1. *The Congress of the Confederate States of Amer-*

ica do enact, That all bills and resolutions passed by the Congress and approved and signed by the President, or which may otherwise become laws, shall be deposited in the Department of Justice, and the originals carefully preserved in said Department.

SEC. 2. It shall be the duty of the Attorney-General, as soon as conveniently may be, after he shall receive the same, to select from the laws, orders and resolutions passed at each session, such as may be of a public nature; and as in his judgment, require early publication, and cause the same to be inserted, weekly, for one month, in one public gazette published at the seat of government in each State, and shall also publish all the laws in two gazettes published at the Capital of the Confederate States; and the compensation for this publication shall not exceed one dollar and a half per page, estimated according to Little and Brown's edition of the laws of the United States.

SEC. 3. It shall be the duty of the Attorney-General, at the close of each session of Congress, to cause all the laws and resolutions having the force of laws, and all treaties entered into by the Confederate States, to be published under the supervision of the Superintendent of Public Printing. The laws shall be arranged in the order of their date; shall have marginal notes to each section; shall be fully indexed; and shall be published to the number of three thousand copies, in a style equal in execution and upon paper equal in quality to the edition of the laws of the United States, as annually published by Little and Brown; they shall be bound in pamphlet, in a style not inferior to that in which the laws published by Little and Brown, are bound annually; and one thousand copies thereof shall be preserved to be bound in calf, in a solid and substantial manner, as often as the number of pages shall be sufficient to form a volume of not less than eight hundred, nor more than one thousand pages. And whenever the volumes are thus bound, a new index shall be made, comprising the contents of the whole volume thus bound.

SEC. 4. The printing of the laws, as required, by the foregoing section, shall be executed by the Public Printer; the binding in pamphlet form and in volumes, as provided in the foregoing section, shall be executed by contract to be entered into by the Superintendent of Public Printing, after advertising for sealed proposals; and the paper for the printing of the laws shall be furnished to the Public Printer,

by the Superintendent of Public Printing, in accordance with the fourth section of the act of 14th May, 1861, entitled "an act further to organize the Bureau of Superintendent of Public Printing."

SEC. 5. The price allowed to the Public Printer for printing the laws, under the provisions of this act, shall be the following, and no more, to wit: for composition, plain, seventy-five cents per thousand ems; for rule and figure work, one dollar and fifty cents per thousand ems; for press work, octavo forms, of sixteen pages, seventy-five cents per token.

SEC. 6. The laws, when bound in pamphlet form, shall be distributed as follows, to wit: One copy to each member of the Congress for the time being; twenty copies each to the Secretary of the Senate and the Clerk of the House of Representatives; one copy to each Committee of the two Houses of Congress; five copies each to the President and Vice-President; two hundred copies to the Department of State, for its own use, and for distribution amongst the Diplomatic and Consular officers of the Confederate States; two hundred copies to the Department of the Treasury, for its own use, and for distribution amongst the Revenue officers of the Government; one hundred copies to the Department of Justice, for its own use, and for distribution amongst the Judges, Clerks, Marshals and Attorneys of the Confederate States; fifty copies each to the Department of War and Navy, and to the Postmaster-General; five copies each to the Governors of the several States, for the use of the States. The remaining copies shall be preserved in the Department of Justice, subject to the further order of Congress.

SEC. 7. The Attorney-General is authorized to appoint an additional clerk in the Department of Justice for the purpose of carrying into effect the provisions of this act, to be called the Law Clerk of said Department, at a salary of fifteen hundred dollars per annum.

SEC. 8. All laws and parts of laws heretofore enacted, providing for the safe custody, preservation, printing, publication and distribution of the laws are hereby repealed.

APPROVED August 5, 1861.

No. 209.]

AN ACT

To authorize advances to be made in certain cases.

The Congress of the Confederate States of America do enact,

That the Secretary of War, with the approbation of the President, be authorized, during the existence of the present war, to make advances upon any contract, not to exceed thirty-three and one-third per cent., for arms or munitions of war: *Provided*, that security be first taken, to be approved by the Secretary of War, for the performance of the contract, or for a proper accounting for the said money.

APPROVED August 5, 1861.

No. 211.]

AN ACT

To give aid to the people and State of Missouri.

SECTION 1. *The Congress of the Confederate States of America do enact*, That to aid the people of the State of Missouri, in the effort to maintain, within their own limits, the constitutional liberty, which it is the purpose of the Confederate States in the existing war to vindicate, there shall be, and is hereby appropriated out of any moneys in the Treasury not otherwise appropriated, one million of dollars, to supply clothing, subsistence, arms and ammunition to the troops of Missouri who may co-operate with those of the Confederate States, during the progress of the existing war; said sum to be expended under the discretion of the President of the Confederate States, for the purposes aforesaid.

APPROVED August 6, 1861.

No. 213]

AN ACT

To provide for the construction of a newly invented implement of war.

Whereas, Charles S. Dickinson alleges that he has invented a machine, generally known as 'Winan's Gun,' whereby balls can be projected with such force, rapidity and precision as to render it a valuable implement of war, both in the Army and Navy. The Congress of the Confederate States of America do, therefore, enact, That the President be, and he is hereby, authorized, in his discretion, to cause one machine of this description, calculated to throw balls measuring about three-fourths of an inch in diameter, and weighing about two ounces, to be constructed under the di-

rection of said Dickinson; *Provided* that the cost thereof shall not exceed five thousand dollars.

APPROVED, August 6, 1861.

No. 214.]

RESOLUTIONS

Of thanks to Generals Joseph E. Johnston and Gustave T. Beauregard, and the officers and troops under their command at the Battle of Manassas.

Resolved, by the Congress of the Confederate States of America, That the thanks of Congress are eminently due, and are hereby cordially given, to Generals Joseph E. Johnston and Gustave T. Beauregard, and to the officers and troops under their command, for the great and signal victory obtained by them over forces of the United States far exceeding them in number, in the battle of the twenty-first of July at Manassas; and for the gallantry, courage and endurance evinced by them, in a protracted and continuous struggle of more than ten hours; a victory, the great results of which will be realized in the future successes of the war, and which, in the judgment of Congress, entitles all who contributed to it, to the gratitude of their country. *Resolved further*, That the foregoing Resolution be made known in appropriate General Orders, by the Generals in command, to the officers and troops to whom they are addressed.

APPROVED Aug. 6, 1861.

No. 215.]

AN ACT

To authorize the President of the Confederate States to grant Commissions to raise Volunteer Regiments and Battalions, composed of persons who, are or have been, residents of the States of Kentucky, Missouri, Maryland and Delaware.

The Congress of the Confederate States of America do enact, That the President of the Confederate States be, and he is hereby, authorized to grant commissions to officers above the grade of Captain, to such persons as he may think fit, to raise and command Volunteer Regiments and Battalions for the service of the Confederate States, said Regiments and

Battalions to be composed of persons who are, or have been, residents of the States of Kentucky, Missouri, Maryland, or Delaware, and who have enlisted, or may enlist, under said officers: upon the condition, however, that such officers shall not hold rank or receive pay, until such Regiments or Battalions have been raised and are mustered into service.

APPROVED August 8, 1861.

No. 216.]

AN ACT

Respecting Alien Enemies.

SECTION 1. *The Congress of the Confederate States of America do enact*, That whenever there shall be a declared war between the Confederate States and any foreign nation or government, or any invasion or predatory incursion shall be perpetrated, attempted or threatened against the territory of the Confederate States, by any foreign nation or government, and the President of the Confederate States shall make public proclamation of the event, or the same shall be proclaimed by act of Congress, all natives, citizens, denizens, or subjects of the hostile nation or government, being males of fourteen years of age and upwards, who shall be within the Confederate States, and not citizens thereof, shall be liable to be apprehended, restrained or secured, and removed as alien enemies: *Provided*, That during the existing war, citizens of the United States, residing within the Confederate States, with intent to become citizens thereof, and who shall make a declaration of such intention, in due form, and acknowledging the authority of the government of the same, shall not become liable as aforesaid, nor shall this act extend to citizens of the States of Delaware, Maryland, Kentucky, Missouri, and of the District of Columbia, and the Territories of Arizona and New Mexico, and the Indian Territory south of Kansas, who shall not be chargeable with actual hostility or other crime against the public safety, and who shall acknowledge the authority of the government of the Confederate States.

SEC. 2. The President of the Confederate States shall be, and he is hereby, authorized, by his proclamation or other public act, in case of existing or declared war, as aforesaid, to provide for the removal of those who, not being permitted to reside within the Confederate States, shall refuse or neg-

lect to depart therefrom; and to establish such regulations in the premises as the public safety may require.

SEC. 3. Immediately after the passage of this act, the President of the Confederate States shall, by proclamation, require all citizens of the United States, being males of fourteen years and upwards, within the Confederate States, and adhering to the Government of the United States, and acknowledging the authority of the same, and not being citizens of the Confederate States, nor within the proviso of the first section of this act, to depart from the Confederate States within forty days from the date of said proclamation; and such persons remaining within the Confederate States after that time, shall become liable to be treated as alien enemies; and in all cases of declared war as aforesaid, aliens, resident within the Confederate States, who shall become liable as enemies as aforesaid, and who shall not be chargeable with actual hostility or other crime against the public safety, shall be allowed the time for the disposition of their effects and for departure, which may be stipulated by any treaty with such hostile nation or government; and when no such treaty may exist, the President shall prescribe such time as may be consistent with the public safety and accord with the dictates of humanity and national hospitality.

SEC. 4. After any declared war, or proclamation, as aforesaid, it shall be the duty of the several Courts of the Confederate States, and of each State having criminal jurisdiction, and of the several judges and justices of the Courts of the Confederate States, and they are hereby authorized, upon complaint against any alien, or alien enemies, as aforesaid, or persons coming within the purview of this act, who shall be resident, or remaining in the Confederate States, and at large within the jurisdiction or district of such Judge or Court, as aforesaid, contrary to the intent of this act and of the proclamation of the President of the Confederate States, or the regulations prescribed by him, in pursuance of this act, to cause such alien or aliens, person or persons, as aforesaid, to be duly apprehended and convened before such court, judge or justice, for examination; and after a full examination and hearing in such complaint, and sufficient cause therefor appearing, shall or may order such alien or aliens, person or persons, to be removed out of the territory of the Confederate States, or to be otherwise dealt with or restrained, conformably to the intent of this act, and the proclamation or regulations which may be prescribed as aforesaid,

and may imprison or otherwise secure, such alien persons until the order which shall be made shall be performed.

SEC. 5. It shall be the duty of the Marshal of the District, in which any alien enemy or person offending against the provisions of this act, shall be apprehended, who by the President of the Confederate States, or by order of any court, judge or justice, as aforesaid, shall be required to depart, to be removed as aforesaid, to execute such order by himself or deputy, or other discreet person, and for such execution the Marshal shall have the warrant of the President, or the court or judge, as the case may be.

APPROVED August 8, 1861.

No. 217.]

AN ACT

Further to provide for the Public Defence.

SECTION 1. *The Congress of the Confederate States of America, do enact*, That in order to provide additional forces to repel invasion, maintain the rightful possession of the Confederate States of America, and to secure the independence of the Confederate States, the President be, and he is hereby, authorized to employ the militia, military and naval forces of the Confederate States of America, and to ask for and accept the services of any number of volunteers, not exceeding four hundred thousand, who may offer their services, either as cavalry, mounted riflemen, artillery, or infantry, in such proportions of these several arms as he may deem expedient, to serve for a period of not less than twelve months, nor more than three years after they shall be mustered into service, unless sooner discharged.

SEC. 2. That whenever the militia or volunteers are called and received into the service of the Confederate States, under the provisions of this act, they shall be organized under the act of the 6th of March, 1861, entitled "An Act to provide for the Public Defence," with the same pay and allowances of said act, and the same time for the service of the militia.

SEC. 3. Nothing in this act shall be construed to extend to, or in anywise to alter any act heretofore passed, authorizing the President to receive troops offered directly to the Confederate States for the war, or for any less time.

APPROVED August 8, 1861.

No. 219.]

RESOLUTIONS

Touching certain points of Maritime Law, and defining the position of the Confederate States in respect thereto.

WHEREAS, The Plenipotentiaries of Great Britain, Austria, France, Prussia, Russia, Sardinia and Turkey, in a Conference held at Paris, on the 16th of April, 1856, made certain declarations respecting maritime law, to serve as uniform rules for their guidance, in all cases arising under the principles thus proclaimed: And, whereas, it being desirable, not only to attain certainty and uniformity, as far as may be practicable in maritime law, but also to maintain whatever is just and proper in the established usages of nations, The Confederate States of America deem it important to declare the principles by which they will be governed in their intercourse with the rest of mankind. Now, therefore,

Be it resolved by the Congress of the Confederate States of America, 1. That we maintain the right of privateering, as it has been long established by the practice and recognized by the law of nations.

2. That the neutral flag covers enemy's goods, with the exception of contraband of war.

3. That neutral goods, with the exception of contraband of war, are not liable to capture, under enemy's flag.

4. That blockades, in order to be binding, must be effectual; that is to say, maintained by a force sufficient really to prevent access to the coast of the enemy.

APPROVED August 13, 1861.

No. 220.]

AN ACT

To provide for the appointment of Surgeons and Assistant Surgeons for Hospitals.

SECTION 1. *The Congress of the Confederate States of America, do enact,* That the President be, and he is hereby authorized to appoint in the Provisional Army as many Surgeons and Assistant Surgeons, for the various hospitals of the Confederacy, as may be necessary.

APPROVED August 14, 1861.

No. 221.]

AN ACT

To amend the Law in relation to the Export of Tobacco and other commodities.

The Congress of the Confederate States of America, do enact; That the act passed at the present session, entitled "An Act to extend the provisions of an act entitled An Act to Prohibit the Exportation of Cotton from the Confederate States, except through the seaports of said States, and to punish persons offending therein," approved May 21, A. D. 1861, shall go into effect immediately after the approval of this act.

APPROVED August 16, 1861.

No. 223.]

AN ACT

To authorize the Issue of Treasury Notes, and to provide a War Tax for their Redemption.

SECTION 1. *The Congress of the Confederate States of America, do enact,* That the Secretary of the Treasury be, and he is hereby, authorized, from time to time, as the public necessities may require, to issue Treasury Notes, payable to bearer at the expiration of six months after the ratification of a treaty of peace between the Confederate States and the United States, the said notes to be of any denomination not less than five dollars, and to be reissuable at pleasure, until the same are payable; but the whole issue, outstanding at one time, including the amount issued under former acts, shall not exceed one hundred millions of dollars; the said notes shall be receivable in payment of the War Tax hereinafter provided, and of all other public dues except the export duty on cotton, and shall also be received in payment of the subscriptions of the net proceeds of sales of raw produce and manufactured articles.

SEC. 2. That for the purpose of funding the said notes, and of making exchange for the proceeds of the sale of raw produce and manufactured articles, or for the purchase of specie or military stores, the Secretary of the Treasury, with the assent of the President, is authorized to issue Bonds, payable not more than twenty years after date, and bearing a rate of interest not exceeding eight per centum per annum,

until they become payable, the interest to be paid semi-annually; the said Bonds not to exceed, in the whole, one hundred millions of dollars, and to be deemed a substitute for thirty millions of the Bonds authorized to be issued by the Act approved May sixteenth, eighteen hundred and sixty-one; and this act is to be deemed a revocation of the authority to issue the said thirty millions. The said Bonds shall not be issued in less sums than one hundred dollars, nor in fractional parts of a hundred, except when the subscription is less than one hundred dollars, the said Bonds may be issued in sums of fifty dollars. They may be sold for specie, military and naval stores, or for the proceeds of raw produce and manufactured articles, in the same manner as is provided by the act aforesaid; and, whenever subscriptions of the same have been, or shall be made, payable at a particular date, the Secretary of the Treasury shall have power to extend the time of sales until such date as he shall see fit to indicate.

SEC. 3. The holders of the said Treasury notes may, at any time, demand in exchange for them, Bonds of the Confederate States, according to such regulations as may be made by the Secretary of the Treasury. But whenever the Secretary of the Treasury shall advertise that he will pay off any portion of the said Treasury Notes, then the privilege of funding, as to such notes, shall cease, unless there shall be a failure to pay the same in specie on presentation.

SEC. 4. That, for the special purpose of paying the principal and interest of the public debt, and of supporting the Government, a War Tax shall be assessed and levied, of fifty cents upon each one hundred dollars in value, of the following property, in the Confederate States, namely: Real estate of all kinds; slaves; merchandize; Bank Stocks; Railroad and other Corporation Stocks; Money at interest, or invested by individuals in the purchase of Bills, Notes, and other securities for money, except the Bonds of the Confederate States of America, and cash on hand or on deposit in Bank or elsewhere; cattle, horses and mules; gold watches, gold and silver plate, pianos and pleasure carriages: *Provided, however,* that when the taxable property herein above enumerated, of any head of a family, is of value less than five hundred dollars, such taxable property shall be exempt from taxation under this act: *And provided, further,* that the property of Colleges and Schools, and of charitable or religious corporations or associations, actually used for

the purposes for which such colleges, schools, corporations or associations were created, shall be exempt from taxation under this act: *And provided, further,* That all public lands, and all property owned by a State for public purposes, be exempt from taxation.

SEC. 5. That, for the purpose of ascertaining all property included in the above classes, and the value thereof, and the person chargeable with the tax, each State shall constitute a tax division, over which shall be appointed one Chief Collector, who shall be charged with the duty of dividing the State into a convenient number of collection districts, subject to the revisal of the Secretary of the Treasury. The said collector shall be appointed by the President, and shall hold his office for one year, and receive a salary of two thousand dollars. He shall give bond with sureties to discharge the duties of his office in such amount as may be prescribed by the Secretary of the Treasury, and shall take oath faithfully to discharge the duties of his office, and to support and defend the Constitution. The said Chief Collector shall, with the approbation of the Secretary of the Treasury, appoint a tax collector for each collection district, whose duty it shall be to cause an assessment to be made on or before the first day of November next, of all the taxable property in his district, included in each of the above mentioned classes of property, and the persons then owning or in possession thereof; and in order thereto, the said Tax Collectors may appoint Assessors, who shall proceed through every part of their respective districts, and, after public notice, shall require all persons owning, possessing, or having the care and management of any property liable to the tax aforesaid, to deliver written lists of the same, which shall be made in such manner as may be required by the Chief Collector, and as far as practicable, conformable to those which may be required for the same purpose under the authority of the respective States; and the said assessors are authorized to enter into and upon, all and singular, the premises for the purposes required by this Act.

SEC. 6. If any person shall not be prepared to exhibit a written list when required, and shall consent to disclose the particulars of taxable property owned or possessed by him, or under his care and management, then it shall be the duty of the officer to make the list, which, being distinctly read and consented to, shall be received as the list of such person.

SEC. 7. That, if any person shall deliver or disclose to any collector or assessor appointed in pursuance of this act and requiring a list as aforesaid, any false or fraudulent list, with intent to defeat or evade the valuation or enumeration hereby intended to be made, such person, so offending, shall be fined in a sum not exceeding five hundred dollars, to be recovered in any Court of competent jurisdiction.

SEC. 8. Any person who shall fail to deliver to the collector or assessor a list of his taxable property, at the time prescribed by him, shall be liable to a double tax upon all his taxable property; the same to be assessed by the collector or assessor, and to be collected in the same manner and by the same process as is herein provided as to the single tax.

SEC. 9. The lists shall be made in reference to the value and situation of the property, on the first day of October next, and shall be made out, completed and be delivered into the hands of each of the tax collectors on the first day of December next; and upon the receipt thereof, each tax collector may, for twenty-one days next ensuing the said first December, hear and determine all appeals from the said assessments, as well as applications for the reduction of a double tax, when such tax may have been incurred, to a single tax, which determination shall be final.

SEC. 10. The several tax collectors shall, on or before the first day of February ensuing, furnish to the chief collector of the State in which his district is situated, a correct and accurate list of all the assessments made upon each person in his district, and of the amount of tax to be paid by such person, specifying each object of taxation; and the said chief collector shall collate the same in proper form, and forward the collated list to the Secretary of the Treasury.

SEC. 11. The said several collectors shall, on the first day of May next, proceed to collect from every person liable for the said tax, the amounts severally due and owing, and he shall previously give notice for twenty days in one newspaper, if any be published in his district, and by notifications in at least four public places in each township, ward or precinct within his District, of the time and place at which he will receive the said tax; and on failure to pay the same, it shall be the duty of the Collector, within twenty days after the first day of May aforesaid, by himself or his deputies, to proceed to collect the said taxes by distress and sale of the goods, chattels, or effects of the persons de-

linquent. And in case of such distress, it shall be the duty of the officer charged with the collection, to make, or cause to be made, an account of the goods or chattels which may be distrained, a copy of which, signed by the officer making such distress, shall be left with the owner or possessor of such goods, chattels or effects, or at his or her dwelling, with a note of the sum demanded, and the time and place of sale; and the said officer shall forthwith cause a notification to be publicly advertised or posted up at two public places nearest to the residence of the person whose property shall be distrained, or at the court-house of the same county, if not more than ten miles distant, which notice shall specify the articles distrained, and the time and place proposed for the sale thereof, which time shall not be less than ten days from the date of such notification, and the place proposed for the sale not more than five miles distant from the place of making such distress: *Provided*, That in any case of distress for the payment of the taxes aforesaid, the goods, chattels or effects so distrained, shall and may be restored to the owner or possessor, if, prior to the sale thereof, payment, or tender thereof, shall be made to the proper officer charged with the collection, of the full amount demanded, together with such fee for levying, and such sum for the necessary and reasonable expense of removing and keeping the goods, chattels or effects so distrained, as may be allowed in like cases by the laws or practice of the State wherein the distress shall have been made; but in case of non-payment or tender as aforesaid, the said officers shall proceed to sell the said goods, chattels or effects at public auction, and shall and may retain from the proceeds of such sale, the amount demandable for the use of the Confederate States, with the necessary and reasonable expenses of distress and sale, and a commission of five per centum thereon for his own use, rendering the overplus, if any there be, to the person whose goods, chattels, or effects shall have been distrained: *Provided*, That it shall not be lawful to make distress of the tools or implements of a trade or profession, beast of the plough, and farming utensils necessary for the cultivation of improved lands, arms, or such household furniture or apparel as may be necessary for a family.

SEC. 12. That if the tax assessed on any real estate shall remain unpaid on the first day of June next, the tax collector of the district wherein the same is situated shall, on the first Monday in July thereafter, proceed to sell the same,

or a sufficiency thereof, at public outcry, to the highest bidder, to pay said taxes, together with twenty per centum on the amount of said taxes and costs of sale, said sale to be at the court-house door of the county or parish wherein said real estate is situated; and, if there shall be more than one county or parish in a district, the said tax collector is authorized to appoint deputies to make such sales in his name as he cannot attend to himself, and for all lands so sold by said deputies, the deeds as hereinafter provided for shall be executed by said collector, and such sales so made shall be valid, whether the real estate so sold shall be assessed in the name of the true owner or not. But in all cases where the property shall not be divisible so as to enable the collector, by a sale of part thereof, to raise the whole amount of the tax, with all costs, charges and commissions, the whole of such property shall be sold, and the surplus of the proceeds of the sale, after satisfying the tax, costs, charges and commissions, shall be paid to the owner of the property or his legal representatives, or if he or they cannot be found, or refuse to receive the same, then such surplus shall be deposited in the Treasury of the Confederate States, to be there held for the use of the owner or his legal representatives until he or they shall make application therefor to the Secretary of the Treasury, who, upon such application, shall, by warrant on the Treasury, cause the same to be paid to the applicant. And if the property offered for sale as aforesaid cannot be sold for the amount of the tax due thereon, with the said additional twenty per centum thereto, the collector shall purchase the same in behalf of the Confederate States for the amount aforesaid: *Provided*, That the owner or superintendent of the property aforesaid, before the same shall have been actually sold, shall be allowed to pay the amount of the tax thereon, with an addition of ten per centum on the same, on the payment of which the sale of the said property shall not take place: *Provided, also*, That the owners, their heirs, executors or administrators, or any person on their behalf, shall have liberty to redeem any lands and other real property sold as aforesaid, within two years from the time of sale, upon payment to the collector for the use of the purchaser, his heirs or assignees, of the amount paid by such purchaser, with interest for the same at the rate of twenty per centum per annum; and no deed shall be given in pursuance of such sale until the time of redemption shall have expired: *Provided, further*, That when the owner of any land, or

other real property sold for taxes under the provisions of this act, shall be in the military service of the Confederate States, before and at the time said sale shall have been made, the said owner shall have the privilege of redeeming the said property at any time within two years after the close of his term of service. And the collector shall render a distinct account of the charges incurred in offering and advertising for sale such property, and shall pay into the Treasury the surplus, if any there be, of the aforesaid addition of twenty per centum, or ten per centum, as the case may be, after defraying the charges. And in every case of the sale of real estate, which shall be made under the authority of this act for the assessment and collection of direct taxes by the collectors or marshals respectively, or their lawful deputies respectively, or by any other person or persons, the deeds for the estate so sold shall be prepared, made, executed, and proved or acknowledged, at the time and times prescribed in this act by the collectors respectively within whose collection district such real estate shall be situated, or in case of their death or removal from office, by their successors on payment of the purchase money or producing a receipt therefor, if already paid, in such form of law as shall be authorized and required by the laws of the Confederate States, or by the law of the State in which such real estate lies, for making, executing, proving and acknowledging deeds of bargain and sale, or other conveyances for the transfer and conveyance of real estate: and for every deed so prepared, made, executed, proved and acknowledged, the purchaser or grantee shall pay to the collector the sum of five dollars for the use of the collector, marshal or other person effecting the sale of the real estate thereby conveyed. The commissions hereinafter allowed to each collector shall be in full satisfaction of all services rendered by them. The assessors appointed under them shall be entitled to three dollars for every day employed in making lists and assessments under this act, the number of days being certified by the collector and approved by the chief collector of the State, and also five dollars for every hundred taxable persons contained in the list as completed by him and delivered to the collector: *Provided*, That when the owner of any real estate is unknown, or is a non-resident of the State or tax district wherein the same is situated, and has no agent resident in said district, the assessor shall himself make out a list of such real estate for assessment.

Sec. 13. Separate account shall be kept at the Treasury

of all moneys received from each of the respective States, and the chief collector shall procure from each tax collector such details as to the tax, and shall classify the same in such manner as the Secretary of the Treasury shall direct, and so as to provide full information as to each subject of taxation.

SEC. 14. Each collector shall be charged with an interest of five per cent. per month for all moneys retained in his possession beyond the time at which he is required to pay over the same by law, or by the regulations established by the Secretary of the Treasury.

SEC. 15. Each collector, before entering upon the duties of his office, shall give bond in such sum as shall be prescribed by the Secretary of the Treasury, with sufficient sureties, and shall take an oath faithfully to execute the duties of his office, and that he will support and defend the Constitution of the Confederate States.

SEC. 16. Upon receiving the tax due by each person the collector shall sign receipts in duplicate, one whereof shall be delivered to the person paying the same, and the other shall be forwarded to the chief collector of that State. The money collected during each month or during any shorter period which may be designated by the Secretary of the Treasury, shall be also immediately forwarded to the said chief collector, and by him be disposed of according to the direction of the Secretary of the Treasury; and the said chief collector shall report the same immediately to the Secretary of the Treasury, and shall furnish him with a list specifying the names and amounts of each of the receipts which shall have been forwarded to him as aforesaid by the district collectors.

SEC. 17. The taxes assessed on each person shall be a statutory lien for one year upon all the property of that person, in preference to any other lien; the said lien to take date from the first day of October, to which the valuation has relation, and the lands and other property of any collector shall be bound by statutory lien for five years for all moneys received by him for taxes, the date of such lien to commence from the time of his receiving the money.

SEC. 18. The compensation of the tax collectors shall be five per cent. on the first ten thousand dollars received, and two and a half per cent. on all sums beyond that amount until the compensation shall reach eight hundred dollars, beyond which no farther compensation shall be paid.

SEC. 19. The Secretary of the Treasury is authorized to establish regulations suitable and proper to carry this act into effect; which regulations shall be binding on all officers; the said Secretary may also frame instructions as to all details which shall be obligatory upon all parties embraced within the provisions of this act. He may also correct all errors in assessments, valuations, and tax lists, or in the collection thereof, in such form and upon such evidence as the said Secretary may approve.

SEC. 20. Corporations are intended to be embraced under the word "persons," used in this act; and whenever the capital stock of any corporation is returned by the corporation itself and the tax paid, the stock in the hands of individuals shall be exempt from tax; and also all the real estate owned by the corporation and used for carrying on its business; and the capital stock of all corporations shall be returned, and the tax paid, by the corporations themselves, and not by the individual stockholders. The term "merchandize," is designed to embrace all goods, wares and merchandize held for sale, except the agricultural products of the country. Money at interest, is intended to include the principal sum of all money belonging to any person, other than a bank, upon which interest is paid or to be paid by the debtor, as the same stands on the first day of October. The term, "cattle, horses and mules," is intended to include all such animals as are raised for sale, and not such as are raised merely for food and work on the plantation or farm where they are held. The term "real estate," is intended to include all lands and estates therein, and all interests growing thereout, including ferries, bridges, mines, and the like, and in all cases the actual marketable value of property is to be assessed.

SEC. 21. If any person shall, at any time during the existence of the present war between the Confederate States and the United States, or within one year after the ratification of a treaty of peace between them, falsely make, forge, or counterfeit, or cause or procure to be falsely made, forged or counterfeited, or willingly aid or assist in falsely making, forging, or counterfeiting any note in imitation of, or purporting to be a treasury note of the Confederate States; or shall falsely alter, or cause, or procure to be falsely altered, or willingly aid or assist in falsely altering any treasury note of the Confederate States; or shall pass, utter, or publish, or attempt to pass, utter, or publish as true, any false, forged

or counterfeited note purporting to be a treasury note of the Confederate States, knowing the same to be falsely forged or counterfeited; or shall pass, utter, or publish, or attempt to pass, utter or publish, as true, any falsely altered treasury note of the Confederate States, knowing the same to be falsely altered, or shall conspire, or attempt to conspire, with another, to pass, utter, or publish, or attempt to pass, utter or publish as true, any falsely forged or counterfeited, or any falsely altered treasury note of the Confederate States, knowing the same to be falsely forged or counterfeited, or falsely altered; every such person shall be deemed and adjudged guilty of felony, and being thereof convicted by due course of law, shall suffer death.

SEC. 22. If any person shall, at any time, falsely make, forge or counterfeit, or cause or procure to be falsely made, forged or counterfeited, or willingly aid, or assist, in falsely making, forging, or counterfeiting any bond, or coupon, in imitation of, or purporting to be a bond, or coupon, of the Confederate States; or shall falsely alter, or cause, or procure, to be falsely altered, or willingly aid or assist in falsely altering any bond, or coupon, of the Confederate States; or shall pass, utter or publish, or attempt to pass, utter, or publish as true, any false, forged or counterfeited bond, purporting to be a bond, or coupon, of the Confederate States, knowing the same to be falsely forged or counterfeited; or shall pass, utter or publish, or attempt to pass, utter or publish, as true, any falsely altered bond, or coupon, of the Confederate States, knowing the same to be falsely altered; or shall conspire, or attempt to conspire, with another, to pass, utter, or publish, or attempt to pass, utter, or publish, as true, any false, forged, or counterfeited bond, or coupon, purporting to be a bond or coupon of the Confederate States, or any falsely altered bond, or coupon, of the Confederate States, knowing the same to be falsely forged or counterfeited, or falsely altered; every such person shall be deemed and adjudged guilty of felony, and being thereof convicted by due course of law, shall be sentenced to be imprisoned and kept at hard labor for a term not less than five years, nor more than ten years, and be fined in a sum not exceeding five thousand dollars.

SEC. 23. If any person shall make, or engrave, or cause, or procure to be made or engraved, or shall have in his custody or possession, any metallic plate engraved after the similitude of any plate from which any notes or bonds issued as

aforesaid, shall have been printed, with intent to use such plate, or cause, or suffer the same to be used in forging or counterfeiting any of the notes or bonds issued as aforesaid; or shall have in his custody, or possession, any blank note or notes, bond or bonds, engraved and printed after the similitude of any note, or bond, issued as aforesaid, with intent to use such blanks, or cause, or suffer the same to be used in forging or counterfeiting any of the notes or bonds issued as aforesaid; or shall have in his custody or possession, any paper adapted to the making of notes or bond, and similar to the paper upon which any such notes or bonds shall have been issued, with intent to use such paper, or cause or suffer the same to be used, in forging or counterfeiting any of the notes or bonds issued as aforesaid; every such person being thereof lawfully convicted by due course of law, shall be sentenced to be imprisoned and kept to hard labor for a term not less than five, nor more than ten years, and fined in a sum not exceeding five thousand dollars.

SEC. 24. If any State shall, on or before the first day of April next, pay, in the Treasury notes of the Confederate States, or in specie, the taxes assessed against the citizens of such State, less ten per centum thereon, it shall be the duty of the Secretary of the Treasury to notify the same to the several tax collectors in such State, and thereupon their authority and duty under this act shall cease.

SEC. 25. If any person shall, at any time, after one year from the ratification of a treaty of peace between the Confederate States and the United States, commit any of the acts described in the twenty-first section of this act, such person shall be deemed and adjudged guilty of felony, and being thereof convicted, by due course of law, shall be sentenced to be imprisoned and kept at hard labor, for a period of not less than five years, nor more than ten years, and be fined in a sum not exceeding five thousand dollars.

APPROVED August 19, 1861.

No. 225.]

AN ACT

To aid the State of Missouri in repelling invasion by the United States, and to authorize the admission of said State as a member of the confederate States of America, and for other purposes.

WHEREAS, the people of the State of Missouri have been

prevented, by the unconstitutional interference of the Government of the United States, from expressing their will through their legally constituted authorities, in regard to a union with the Confederate States of America, and are now engaged in repelling a lawless invasion of their territory by armed forces; and whereas, it is the right and duty of the Confederate States to aid the people and government of the said State in resisting such invasion, and in securing the means and the opportunity of expressing their will upon all questions affecting their rights and liberties; now, therefore—

The Congress of the Confederate States of America do enact, That the President of the Confederate States of America be, and he is hereby authorized to co-operate through the military power of this Government with the authorities and the people of the State of Missouri in defending that State against a lawless invasion by the United States, and in maintaining the liberty and independence of her people; and that he be authorized and empowered, at his discretion, to receive and muster into the service of the Confederate States, in the State of Missouri, such troops of that State as may volunteer to serve in the army of the Confederate States, subject to the rules and regulations of said army, and in accordance with the laws of Congress; and said troops may be received into service by companies, battalions or regiments, with their officers elected by the troops, and the officers so elected shall be commissioned by the President; and when mustered into service said companies, battalions or regiments may be attached to such brigades or divisions as the President may determine; and the President shall have power to appoint field officers for all battalions and regiments organized out of separate companies mustered into service, and to add to battalions a sufficient number of separate companies to complete their organization into regiments, and to appoint the additional field officers necessary for the complete organization of the regiments so formed; and all vacancies that may occur among the commissioned officers of troops mustered into service under this act, shall be filled in the manner provided in the act entitled “An act for the establishment and organization of the army of the Confederate States of America,” approved sixth March, eighteen hundred and sixty-one.

SEC. 2. That the State of Missouri shall be admitted a member of the Confederate States of America, upon an

equal footing with the other States under the Constitution for the Provisional Government of the same, upon the condition that the said Constitution for the Provisional Government of the Confederate States shall be adopted and ratified by the properly and legally constituted authorities of said State, and the Governor of said State shall transmit to the President of the Confederate States an authentic copy of the proceedings touching said adoption and ratification by said State of said Provisional Constitution; upon the receipt whereof, the President, by proclamation, shall announce the fact; whereupon, and without any further proceedings upon the part of Congress, the admission of said State of Missouri into this Confederacy, under said Constitution for the Provisional Government of the Confederate States, shall be considered as complete; and the laws of this Confederacy shall be thereby extended over said State of Missouri as fully and completely as over other States now composing the same.

SEC. 3. That the Congress of the Confederate States recognize the government of which Claiborne F. Jackson is the chief magistrate, to be the legally elected and regularly constituted Government of the people and State of Missouri; and that the President of the Confederate States be, and he is hereby empowered, at his discretion, at any time prior to the admission of the said State as a member of this Confederacy, to perfect and proclaim an alliance, offensive and defensive, with the said Government, limited to the period of the existing war between this Confederacy and the United States; the said treaty or alliance to be in force from the date thereof, and until the same shall be disaffirmed or rejected by this Congress.

APPROVED August 20, 1861.

No. 226.]

AN ACT

- To empower the President of the Confederate States to appoint additional Commissioners to Foreign nations.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the President of the Confederate States be, and he is hereby, empowered to determine and designate to what nations, the Commissioners of the Confederate States now in Europe, shall be accredited, either separately or

unitedly; and to prescribe the duties he may think proper to assign to each of them.

SEC. 2. *And be it further enacted*, That the President be and he is hereby empowered to appoint two other Commissioners to represent the Confederate States, either separately or unitedly, to such foreign nations as he may deem expedient.

SEC. 3. *And be it further enacted*, That the additional Commissioners authorized by this act, shall receive the same pay and emolument as the Commissioners now in Europe receive; and the President shall appoint the Secretaries or Clerks, required by said missions, and determine their compensation.

APPROVED August 20, 1861.

No. 227.]

AN ACT

To authorize payment to be made for certain Horses purchased for the Army, by Col. A. W. McDonald.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the Secretary of War be, and he is hereby authorized, to cause payment to be made to the vendors, upon an audit of the accounts, of certain horses, heretofore purchased, by order of Colonel Angus W. McDonald, to mount the men he was authorized to raise by order of the President of the Confederate States; and upon the payment of the said accounts, said horses shall become the property of the Government, and shall be subject to the control of the Quartermaster's Department; *Provided, however*, that the Quartermaster General shall be, and he is hereby empowered, to permit said horses to remain in the possession of the volunteers who now have them, subject to the general law controlling cavalry troops, upon the written agreement of said volunteers that said horses will be paid for by them out of the allowances now made for cavalry troops.

APPROVED August 21, 1861.

No. 228.]

AN ACT

Making appropriation for the Services of Physicians to be employed in conjunction with the Medical Staff of the Army.

SECTION 1. *The Congress of the Confederate States of America do enact*, That there be appropriated, out of any money in the Treasury not otherwise appropriated, for the year ending the eighteenth of February, eighteen hundred and sixty-two, the sum of fifty thousand dollars, for the services of physicians to be employed in conjunction with the Medical Staff of the Army.

APPROVED August 21, 1861.

No. 229.]

AN ACT

To provide for Local Defence and Special Service.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the President be, and he is hereby authorized to accept the services of volunteers of such kind and in such proportion as he may deem expedient, to serve for such time as he may prescribe, for the defence of exposed places or localities, or such special service as he may deem expedient.

SEC. 2. And such forces shall be mustered into the service of the Confederate States, for the local defence or special service aforesaid, the muster roll setting forth distinctly the services to be performed; and the said volunteers shall not be considered in actual service until thereunto specially ordered by the President. And they shall be entitled to pay or subsistence only for such time as they may be on duty under the orders of the President or by his direction.

SEC. 3. Such volunteer forces, when so accepted and ordered into service, shall be organized in accordance with and subject to all the provisions of the act entitled "An Act to provide for the Public Defence," approved March 6th, 1861, and may be attached to such divisions, brigades, regiments or battalions as the President may direct, and when not organized into battalions or regiments before being mustered into service, the President shall appoint the field officers of

the battalions and regiments, when organized as such by him.

APPROVED August 21, 1861.

No. 230.]

AN ACT

To authorize the employment of Cooks and Nurses, other than enlisted men, or volunteers, for the military service.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the better to provide for the sick and wounded, the Secretary of War is authorized to direct the employment, when deemed necessary, of nurses and cooks, other than enlisted men, or volunteers, the persons so employed being subject to military control, and in no case to receive pay above that allowed to enlisted men, or volunteers.

SEC. 2. That there be appropriated for the pay of the nurses and cooks, provided for in the above section, one hundred and thirty thousand dollars.

APPROVED August 21, 1861.

No. 231.]

AN ACT

Providing for the disposition of Unclaimed Goods deposited in warehouse, as prescribed by existing laws.

The Congress of the Confederate States of America do enact, That from and after the passage of this act, any Collector of the Customs is hereby authorized, under such regulations and directions as the Secretary of the Treasury may prescribe, to take possession of, either on board the importing vessel, or at the place of landing, and there to sell at public auction, upon due notice, any imported goods, wares, or merchandize, remaining unclaimed beyond the period prescribed by law for the unloading of the same from the importing vessel, that may, in the opinion of such Collector, from its bulky character, or from its perishable or explosive nature, or from other like causes, render it impracticable to deposit the same in warehouse, as prescribed by law for unclaimed goods.

APPROVED August 21, 1861

No. 232.]

AN ACT

Making appropriations for the Public Defence.

SECTION 1. *The Congress of the Confederate States of America do enact*, That there be appropriated out of any money in the Treasury not otherwise appropriated, for the year ending the eighteenth February, eighteen hundred and sixty-two, the sum of fifty-seven millions dollars for the pay of officers and privates of the army, volunteers and militia in the public service of the Confederate States; for Quartermaster's supplies of all kinds, transportation and other necessary expenses; for the purchase of subsistence, stores and commissary property for the ordnance service in all its branches; for engineering, and for the surgical and medical service of the Army, in all supplies and necessary expenditures.

SEC. 2. That the above appropriation shall be distributed amongst the several objects of appropriation above specified, in such proportions as shall be determined by the Secretary of War, with the approval of the President.

APPROVED August 21, 1861

No. 233.]

AN ACT

Making Appropriation for Military Hospitals.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the sum of fifty thousand dollars be, and the same is hereby appropriated out of any money in the Treasury, not otherwise appropriated, for the establishment and support of Military Hospitals, during the current fiscal year ending February eighteenth, eighteen hundred and sixty-two.

APPROVED Aug. 21, 1861.

No. 234.]

A RESOLUTION

In Relation to the Equipments of Volunteer Cavalry Companies.

Resolved by the Congress of the Confederate States of America, That the Secretary of War be, and he is hereby au-

thorized, in his discretion, to furnish to Volunteer Cavalry Companies, whose services are accepted for the war by the Confederate States, all necessary equipments.

APPROVED Aug. 21, 1861.

No. 235.]

AN ACT

Supplemental to "An act to put in Operation the Government, under the Permanent Constitution of the Confederate States of America."

The Congress of the Confederate States of America do enact, That where, in any State of this Confederacy, there shall be no regular session of the Legislature to be held prior to the eighteenth of February, eighteen hundred and sixty-two, it is hereby provided, in obedience to the seventh Article of the Permanent Constitution, that the election of Senators for the first Congress may be made at any special or extra session of the Legislature of such State, prior to the said eighteenth of February, eighteen hundred and sixty-two.

APPROVED Aug. 21, 1861.

No. 236.]

AN ACT

To Increase the Corps of Artillery, and for other Purposes.

SECTION 1. *The Congress of the Confederate States of America do enact,* That there be added to the Corps of Artillery, Confederate States Army, one Lieutenant-Colonel and two Majors, with the pay and allowances authorized by existing laws for those grades respectively.

SEC. 2. That the President be, and he is hereby, authorized to appoint, in addition to the Storekeepers authorized by the fifth section of the Act of May sixteen, eighteen hundred and sixty-one, "for the establishment and organization of the Army of the Confederate States," as many Military Storekeepers of Ordnance, with the pay and allowances of a Captain of Infantry, as the safe keeping of the public property may require, not to exceed in all four Storekeepers, who shall, previous to entering on duty, give bonds with good and sufficient security, in such sums as the Secre-

tary of War may direct, fully to account for all moneys and public property, which they may receive.

SEC. 3. That the President be, and he is hereby, authorized, whenever in his judgment the interests of the service may require, and where officers of the Army cannot be assigned to these duties, to appoint one or more Superintendents of Armories for the fabrication of small arms, whose salary shall not exceed two thousand five hundred dollars per annum, with allowance for quarters and fuel at the rate fixed for a Major in the Army. And that the President be also authorized to appoint two or more Master Armorers, with a salary not to exceed fifteen hundred dollars per annum, with allowance of quarters and fuel at the rate fixed for a Captain in the Army.

SEC. 4. That during the existing war, the President may, as Commander-in-Chief of the Forces, appoint, at his discretion, for his personal staff, two Aids-de-Camp, with the rank, pay and allowances of a Colonel of Cavalry.

SEC. 5. That hereafter, there shall be allowed one additional Sergeant to each Company in the service of the Confederate States, making in all, five Sergeants per Company, who shall receive the same pay and allowances as are provided by existing laws for that grade.

APPROVED Aug. 21, 1861.

No. 237.] PREAMBLE AND RESOLUTIONS

Concerning Brigadier-General Ben. McCullough.

WHEREAS, it has pleased Almighty God to vouchsafe to the armies of the Confederate States another glorious and important victory in a portion of the country where a reverse would have been disastrous by exposing the families of the good people of the State of Missouri to the unbridled license of the brutal soldiery of an unscrupulous enemy: Therefore, be it

Resolved by the Congress of the Confederate States, That the thanks of Congress are cordially tendered to Brigadier General Ben. McCullough and the officers and soldiers of his brave command, for their gallant conduct, in defeating, after a battle of six and a half hours, a force of the enemy equal in numbers and greatly superior in all their appointments; thus proving that a right cause nerves the hearts and strengthens

the arms of the Southern people, fighting, as they are, for their liberty, their homes and firesides, against an unholy despotism.

Resolved, further, That in the opinion of Congress, General McCullough and his gallant troops are entitled to, and will receive, the grateful thanks of our people.

Resolved, further, That the foregoing Resolutions be communicated to that command by the proper Department.

APPROVED Aug. 22, 1861.

No. 238.]

AN ACT

Making appropriations to carry into effect section two of an act approved May twenty-first, eighteen hundred and sixty-one, entitled "An Act to define with more certainty the meaning of an act entitled 'An Act to fix the duties on articles therein named,'" approved March fifteenth, eighteen hundred and sixty-one.

The Congress of the Confederate States of America do enact, That, for the purpose of carrying into effect the second section of an act approved May twenty-first, eighteen hundred and sixty-one, entitled "An Act to define with more certainty the meaning of an act entitled 'An Act to fix the duties on articles therein named,'" approved March fifteenth, eighteen hundred and sixty-one, the sum of two thousand three hundred and seventy nine dollars and eighty cents be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be paid to Charles T. Pollard, President of the Alabama and Florida Railroad Company, being the difference between fifteen and twenty-four per cent. duty on Railroad iron of the value of twenty-six thousand four hundred and forty-two dollars and twenty-six cents, withdrawn from Warehouse at Pensacola, Florida, in the month of April, eighteen hundred and sixty-one.

APPROVED Aug. 22, 1861.

No. 239.]

AN ACT

To authorize the Postmaster General to contract for the carriage of the Mails on the route hereafter mentioned.

SECTION 1. *The Congress of the Confederate States of America do enact,* That the following mail route be, and the same

is, hereby established to wit: From station seventeen, on the Savannah, Albany and Gulf Rail Road, commonly called Groöver's Ståtion, in the State of Georgia, to the town of Monticello, in the State of Florida.

SEC. 2. *And be it further enacted*, That the Postmaster General be, and is hereby authorized, to make the first contract for carrying of the mail over said route, without the necessity of advertising for bids for said contract as required by existing law; and that this act do take effect and be in force, from and after its passage: *Provided, however*, that nothing in this Act contained, shall be so construed as to require the Postmaster General to put the mail upon said route, unless in his opinion the public interest demand it.

APPROVED Aug. 22, 1861.

No. 240.]

AN ACT

To establish a uniform rule of naturalization for persons enlisted in the armies of the Confederate States of America.

SECTION 1. *The Congress of the Confederate States of America do enact*, That every person not a citizen of one of the Confederate States engaged in the military service of the said Confederate States during the existing war against the United States of America, shall thereby, and whilst in such service, be under the protection of the Confederate States as fully as if he were a citizen thereof, the rights of a citizen being to such extent hereby conferred, and moreover shall have the right to become naturalized and to become a citizen of any one of the Confederate States, and shall thereby be entitled to all the rights and privileges of a citizen of said State of the Confederate States upon taking an oath to support the Constitution of such State, and well and faithfully to serve the Confederate States of America, to maintain and support the Constitution and laws thereof, and to renounce all allegiance and obedience to any foreign Government, State, Sovereignty, Prince or Potentate, and particularly by name the Government, State, Sovereignty, Prince or Potentate of which he may be, or have been, a citizen or subject, and stating which one of the Confederate States he intends to become a citizen of; but if the State in which the said applicant shall have resided next before his application shall

afterwards become a member of this Confederacy, the citizenship of said applicant shall remain in said State at his election, notwithstanding proceedings under this act.

SEC. 2. The oath prescribed in the preceding section may be made by all persons below the rank of Colonel, before the Colonel or commanding officer of the regiment to which such persons may be attached; and said oath may be made by Colonels, and all officers superior in rank to Colonels, and by all persons enlisted in the military service of the Confederate States not attached to regiments, before any commissioned officer of the Confederate States of rank higher than that of Colonel. And it shall be the duty of the Secretary of War to provide blank forms of the oath required to be taken as aforesaid, and to cause the same to be distributed whenever necessary, and to make the regulations necessary for informing all persons now engaged in the military service of the Confederate States of the provisions of this act, and to cause all the oaths so taken as aforesaid to be returned to the War Department: And it shall be further the duty of the Secretary of War to file for record, in the District Court of the Confederate States for the State and District where the Capital may be situated, all the oaths so returned to the War Department as aforesaid. And it shall be the duty of the Clerk of said District Court to record all oaths of naturalization filed with him as aforesaid, and to keep an index of the same; for which service he shall be entitled to a fee of twenty-five cents for each naturalization oath, to be paid out of the public treasury in the same manner as his other fees of office.

APPROVED August 22, 1861.

No. 241.]

AN ACT

Making appropriations for the expenses of Government in the Legislative, Executive and Judicial Departments, for the year ending eighteenth of February, eighteen hundred and sixty-two.

The Congress of the Confederate States of America do enact,
That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise

appropriated, for the objects hereafter expressed, for the year ending the eighteenth of February, eighteen hundred and sixty-two :

LEGISLATIVE.—For compensation and mileage of members of Congress, forty-five thousand dollars.

EXECUTIVE.—For contingent and telegraphic expenses of the Executive office, two thousand five hundred dollars.

DEPARTMENT OF JUSTICE.—For incidental and contingent expenses, including printing and advertising the laws, two thousand five hundred dollars.

For salary of the Law Clerk of the Department of Justice, eight hundred and seventy-five dollars.

For salary of Superintendent of Public Printing, and Clerk and Messenger in his office, three thousand dollars.

For purchase of paper for the printing of Congress and the Executive Departments, under the fourth section of the act of May fourteenth, eighteen hundred and sixty-one, seven thousand dollars.

TREASURY DEPARTMENT.—For one Chief Clerk to aid the First Auditor in auditing the accounts of the Post Office Department, at two thousand dollars per annum, per act approved May sixteenth, eighteen hundred and sixty-one, the sum of one thousand five hundred and thirteen dollars and ninety-seven cents.

For fifteen clerks, at twelve hundred dollars each, the sum of thirteen thousand six hundred and twenty-five dollars and eighty-two cents.

For fourteen clerks, at one thousand dollars each, the sum of ten thousand five hundred and ninety-seven dollars and eighty-five cents.

For one messenger, at five hundred dollars per annum, the sum of three hundred and seventy-eight dollars and forty-nine cents.

For one Chief Clerk for Second Auditor's office, at fourteen hundred dollars per annum, per act approved May twenty-first, eighteen hundred and sixty-one, the sum of one thousand forty-four dollars and thirty-nine cents.

For five clerks, per same act, at twelve hundred dollars each, the sum of four thousand four hundred and seventy-six dollars.

For five clerks, per same act, at one thousand dollars each, the sum of three thousand seven hundred and thirty dollars.

JUDICIARY.—For salaries of Judges and District Attor-

neys of the Confederate States, and incidental and contingent expenses of Courts, twenty-two thousand dollars.

PUBLIC DEBT.—For interest on the public debt, two hundred and fifty thousand dollars.

APPROVED August 24, 1861.

No. 242.]

AN ACT

Making appropriations to carry into effect, "An Act to authorize the issue of Treasury Notes, and to provide a war tax for their redemption," and for other purposes.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to carry into effect "An Act to authorize the issue of Treasury Notes, and to provide a war tax for their redemption," for the year ending the eighteenth of February, eighteen hundred and sixty-two: For one chief Clerk, fifteen hundred dollars; for two Clerks, twelve hundred dollars each, twenty-four hundred dollars; for two Clerks, at one thousand dollars each, two thousand dollars; for five additional Clerks, if found necessary by the Secretary of the Treasury, at one thousand dollars each, five thousand dollars; for printing forms and advertising, ten thousand dollars; for paper for Bonds, and for engraving and printing Treasury Notes and Bonds, one hundred and thirty-seven thousand dollars.

APPROVED August 24, 1861.

No. 243.]

AN ACT

Making further appropriations for the service of the Post Office Department during the year ending the eighteenth February, eighteen hundred and sixty-two.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the sum of five hundred thousand dollars be, and the same is hereby, appropriated out of any money in the Treasury not otherwise appropriated, to supply defi-

ciencies in the revenue of the Post Office Department during the year ending the eighteenth February, eighteen hundred and sixty-two.

APPROVED August 29, 1861.

No. 245.]

AN ACT

To authorize the issue of Inscribed Stock in the stead of Coupon Bonds.

SECTION 1. *The Congress of the Confederate States of America do enact*, That in all cases where Bonds are authorized to be issued under the acts of Congress, to raise money for the use of the Confederate States, the Secretary of the Treasury, at the request of the party interested, may cause to be issued, instead of Bonds, Certificates of Inscribed Stock, payable to order, transferable at the Treasury for the same amount of principal, at the same rate of interest, and payable at the same dates as are prescribed for the Bonds.

SEC. 2. *And be it further enacted*, That if any person shall falsely make, forge or counterfeit, or cause, or procure to be falsely made, forged or counterfeited, or willingly aid or assist in falsely making, or forging, or counterfeiting any certificate of stock, in imitation of, or purporting to be, a certificate of stock, issued in accordance with the provisions of any acts of Congress, authorizing the issue of any certificate of stock, or shall pass, utter or publish, or attempt to pass, utter or publish, as true, any false, forged or counterfeited certificate of stock, purporting to be a certificate of stock as aforesaid, knowing the same to be falsely made, forged, or counterfeited, or shall falsely alter, or cause or procure to be falsely altered, or willingly aid or assist in falsely altering any certificate of stock, issued as aforesaid, or shall pass, utter, or publish, or attempt to pass, utter, or publish, as true, any falsely altered certificate of stock, issued as aforesaid, knowing the same to be falsely altered, every such person shall be deemed and adjudged guilty of felony, and being thereof convicted by due course of law, shall be sentenced to be imprisoned and kept at labor for a period of not less than three years, nor more than ten years, and be fined in a sum not exceeding five thousand dollars.

APPROVED August 24, 1861.

To establish Assay Offices at Charlotte and Dahlonega.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the President be, and he is, hereby, authorized to appoint an Assayer at Charlotte, North Carolina, and another at Dahlonega, in the State of Georgia, whose duty it shall be to assay and certify the fineness and value of such gold and silver as may be submitted to them respectively to be assayed.

SEC. 2. The said Assayers shall, respectively, execute a bond to the Confederate States, with sufficient sureties, in such sum as may be approved by the Secretary of the Treasury, to discharge the duties of his office, and shall take oath to discharge the said duties and to support the Constitution of the Confederate States; whereupon the Secretary of the Treasury shall place in his charge, and subject to his use, the buildings used for the mint, and the tools and implements used therein.

SEC. 3. It shall be the duty of the said Assayer to take proper care of the said buildings, grounds, and property, keep the same in good repair, and to restore the same to the Confederate States in like condition in which they were received; he shall hold his office for two years, and shall employ under him, at such rates as he may agree upon, such workmen and inferior officers as he may see fit.

SEC. 4. The whole expense of the establishment shall be defrayed by the Assayer; and, in order to defray the same, and to receive a reasonable compensation for his services, he shall be entitled to retain from all metals or ores submitted to him for assay, such seignorage or charge as will enable him to receive an annual salary not exceeding two thousand dollars.

SEC. 5. The said Assayers shall, from time to time, as required by the Secretary of the Treasury, make an accurate report of all proceedings at their offices, in such form as may be required by the said Secretary; and they and their officers shall, at all times, be subject to such orders and regulations as the Secretary of the Treasury may, from time to time, make or direct.

APPROVED August 24, 1861.

No. 247.]

AN ACT

Making additional appropriations for the Navy of the Confederate States, for the year ending February eighteenth, eighteen hundred and sixty-two.

The Congress of the Confederate States of America do enact, That there be appropriated, out of any money in the Treasury, not otherwise appropriated, for the year ending February eighteenth, eighteen hundred and sixty-two, the following sums for the Navy :

For the purchase and building of steamers and gun boats for coast defences of the Confederate States, the sum of fifty thousand dollars.

For repairing and fitting the steamer Merrimac as an iron-clad ship, the sum of one hundred and seventy-two thousand five hundred and twenty-three dollars.

For raising the ships-of-the-line Columbus, Delaware, Pennsylvania and brig Dolphin, the sum of twenty-five thousand dollars.

For pay, subsistence, and other wants of five hundred additional seamen, ordinary seamen, landsmen and boys, and firemen and coal heavers, the sum of ninety thousand dollars.

For medical supplies and surgeon's necessities, the sum of four thousand dollars.

To pay employees at the Navy Yard, Norfolk, Virginia, from the first day of July, eighteen hundred and sixty-one, to the eighteenth of February, eighteen hundred and sixty-two, the sum of six thousand seven hundred dollars.

For floating defences for New Orleans, Louisiana, eight hundred thousand dollars.

To construct sub-marine batteries for the destruction of vessels, fifty thousand dollars.

To construct a centrifugal gun, invented by Charles S. Dickinson, subject to the conditions of the Act passed for that purpose, five thousand dollars.

For expenditures in the Ordnance Department of the Navy Yard at Norfolk, for the year ending February eighteenth, eighteen hundred and sixty-two, one hundred and fifteen thousand and fifty-one dollars.

For the construction, equipment, and armament of two iron-clad gun boats, for the defence of the Mississippi river and the city of Memphis, one hundred and sixty thousand dollars.

APPROVED August 24, 1861.

No. 248.]

AN ACT

To repeal the fourth section of "An Act to regulate Foreign Coins in the Confederate States," approved March 16th, 1861, and for other purposes.

SECTION 1. *The Congress of the Confederate States of America do enact*, That from and after the passage of this act, the fourth section of "An Act to regulate Foreign Coins in the Confederate States," approved March 16, 1861, be, and the same is hereby repealed, and that hereafter the following gold coin shall pass current as money within the Confederate States of America, and be receivable for the payment of all debts and demands at the following rates, that is to say: The Sovereign, of England, of no less a weight than five pennyweights and three grains, and of the fineness of (915 1-2) nine hundred and fifteen and one-half thousandths, shall be deemed equal to four dollars and eighty-five cents; the Napoleon, of the weight of not less than (41 dwt. and 3 1-2 grains) four pennyweights, three grains and one-half, and of a fineness of not less than (899) eight hundred and ninety-nine thousandths, shall be deemed equal to three dollars and eighty-five cents; the Spanish and Mexican Doubloons, of no less a weight than (17 dwt., 8 1-2 grs.) seventeen pennyweights, eight grains and one-half, and of the fineness of not less than (899) eight hundred and ninety-nine thousandths, shall be deemed equal to fifteen dollars and sixty cents.

APPROVED August 24, 1861.

No. 249.]

AN ACT

To amend an act entitled "An act to create the clerical force of the several Departments of the Confederate States of America and for other purposes," approved March seventh, eighteen hundred and sixty-one.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the clerical force of the War Department shall be increased to the extent and in the manner following, to wit:

FOR THE OFFICE OF THE SECRETARY OF WAR.—One clerk, at the rate of two thousand dollars per annum; for the payment of whom, from eighteenth of August, eighteen hundred and sixty-one, to the eighteenth of February, eighteen hun-

dred and sixty-two, there is hereby appropriated the sum of one thousand dollars.

FOR THE OFFICE OF THE ADJUTANT GENERAL.—One clerk at the rate of twelve hundred dollars per annum; one clerk at the rate of one thousand dollars per annum; one clerk at the rate of eight hundred dollars per annum; for whose payment, from eighteenth of August, eighteen hundred and sixty-one, to the eighteenth of February, eighteen hundred and sixty-two, there is hereby appropriated the sum of fifteen hundred dollars.

FOR THE OFFICE OF THE QUARTERMASTER-GENERAL three additional clerks at twelve hundred dollars each per annum; three additional clerks at one thousand dollars each per annum; for whose payment, from eighteenth of August, eighteen hundred and sixty-one, to the eighteenth of February, eighteen hundred and sixty-two, there is hereby appropriated the sum of three thousand and three hundred dollars.

FOR THE OFFICE OF THE COMMISSARY GENERAL, *for* two clerks at the rate of twelve hundred dollars each per annum; for whose payment, from eighteenth of August, eighteen hundred and sixty-one, to the eighteenth of February, eighteen hundred and sixty-two, there is hereby appropriated the sum of twelve hundred dollars.

FOR THE BUREAU OF ENGINEERS.—One clerk at twelve hundred dollars; one clerk at one thousand dollars; one draughtsman at twelve hundred dollars; for whose payment, from the eighteenth of August, eighteen hundred and sixty-one, to the eighteen of February, eighteen hundred and sixty-two, there is hereby appropriated the sum of seventeen hundred dollars.

APPROVED, August 29, 1861.

No. 252.]

AN ACT

To authorize the Construction of certain Gun-boats.

SECTION 1. *The Congress of the Confederate States of America do enact,* That in addition to the gun-boats heretofore authorized by law, the President be, and he is hereby, authorized, in his discretion, to cause to be constructed three others, specially adapted to sea coast defence.

SEC. 2. That the sum of four hundred and twenty thousand dollars be, and the same is hereby, appropriated to the object specified in the foregoing section.

APPROVED August 29, 1861.

No. 253.]

AN ACT

To fix the fees and costs in Admiralty cases.

The Congress of the Confederate States of America do enact, That for all services rendered by clerks, marshals, and district attorneys in admiralty cases in the Confederate Courts, and for which no compensation is now fixed by law, there shall be paid to said officers, and allowed to them in the settlement of their accounts, the same costs and fees as were allowed under the laws of the United States in like cases, which were in force on the eighteenth February, eighteen hundred and sixty-one.

APPROVED August 29, 1861.

No. 254.]

AN ACT

To authorize the Secretary of the Navy to make certain contracts without advertising for proposals.

The Congress of the Confederate States of America do enact, That the Secretary of the Navy be, and he is hereby, authorized, in case he should deem it advisable, to contract for building any gun-boats for which appropriations have been, or may be, made during the present or any previous session of Congress, or for altering other vessels so as to convert them into gun-boats, without advertising for proposals for such work, as required by law: *Provided,* That the contracts so made shall be in writing, and shall be placed on file in the Navy Department, and a copy thereof deposited, without delay, in the office of the controller of the Treasury.

APPROVED August 29, 1861.

No. 255.]

AN ACT

Making appropriation for the purchase of a steamer and certain military supplies.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the sum of one million of dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the purchase of a steamer, and such supplies of leather, shoes, flannel and woolen clothing and blankets for the use of the troops in the service of the Confederate States—the said appropriation to be expended under the direction of the President.

APPROVED August 30, 1861.

No. 256.]

AN ACT

To amend the second section of “An act concerning the transportation of soldiers and allowance for clothing of volunteers, and amendatory of the ‘Act for the establishment and organization of the Army of the Confederate States.’”

SECTION 1. *The Congress of the Confederate States of America do enact*, That the Secretary of War be, and he is hereby, authorized and required to provide, as far as possible, clothing for the entire forces of the Confederate States, and to furnish the same to every regiment or company upon the requisition of the commander thereof, the quantity, quality and kind thereof to be established by regulation of the Department, to be approved by the President; and, in case any State shall furnish to its troops and volunteers in the Confederate service such clothing, then the Secretary of War is required to pay over to the Governor of such State the money value of the clothing so furnished.

SEC. 2. The commander of every volunteer company shall have the privilege of receiving commutation for clothing at the rate of twenty-five dollars per man for every six months, when they shall have furnished their own clothing.

APPROVED August 30, 1861.

No. 257.]

AN ACT

To authorize the establishment of Recruiting Stations for Volunteers from the States of Kentucky, Missouri, Maryland and Delaware.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the President be, and he is hereby, authorized to establish recruiting stations within the Confederate States for the reception of volunteers into the military service of the Confederate States from among persons who are, or have been, residents of the States of Kentucky, Missouri, Maryland and Delaware.

SEC. 2. That the President be authorized to grant commissions as Captains to such persons as he may think fit to raise and command companies to be composed of such volunteers; upon the condition, however, that such officers shall not hold rank or receive pay until such companies have been raised and are mustered into service.

SEC. 3. Whenever such recruits shall amount to a sufficient number to be formed into companies, the President may direct the same to be so organized, appointing all commissioned officers of the several companies in addition to the captains provided for in the preceding section. And such companies may be organized into regiments in like manner under the direction of the President.

SEC. 4. Until such recruits shall amount to a sufficient number to be organized into companies, they shall receive no compensation except their clothing and rations.

APPROVED August 30, 1861.

No. 258.]

AN ACT

To Audit the accounts of the respective States against the Confederacy.

SECTION 1. *The Congress of the Confederate States of America do enact*, That it shall be the duty of such Auditor or Auditors of the Treasury Department, as may be designated by the Secretary of the Treasury, and to that end the said Secretary be authorized to appoint as many extra clerks for the time, as he may deem necessary, at the rate of salary now

allowed for clerks of the Treasury Department, to audit the accounts and claims of the respective States of the Confederacy against the Confederate Government for the advances and expenditures made by the said States respectively for the use and benefit of the Confederacy in preparation for or in conducting the war now existing against the United States, and all claims for advances or expenditures of any kind made by any State prior to the passage of its Ordinance of Secession, shall be shown to have been made in contemplation of the Act of Secession afterwards consummated, and of the war that might probably ensue, or in the seizure or acquisition of forts, arsenals, navy yards, armaments, munitions and other useful instrumentalities of war, or in the purchase or manufacture of arms or munitions which have since been transferred to the Confederacy, or in some regular mode been brought into its service for the prosecution of the war aforesaid, before such claims shall be audited and the amount ascertained.

SEC. 2. And in auditing the claims of the States of Virginia, North Carolina and Tennessee, reference shall be had to the special compacts and engagements had with those States respectively by the Confederate Government in view of their proposed adhesion to the Provisional Constitution, or of the support of their armaments and the prosecution of the war afterwards, and all claims coming fairly within the purview of such compacts, being properly verified by vouchers, shall, in favor of said States, be audited and ascertained.

SEC. 3. That proof shall be made in all cases by proper vouchers to the satisfaction of the Auditor that the amount claimed was actually advanced or expended, that the expenditure was proper, and no greater amount for pay and services shall be audited than is allowed by the regulations of the Confederate Government for pay and services in the like cases, and the Auditor shall make a special report of his action under this law to the Congress at its next session.

SEC. 4. The Secretary of the Treasury shall cause notice to be forwarded to the executive of each of the States of this Confederacy, immediately after the passage of this Act, calling on such executive to forward the claims which may be held by his State, subject to be audited under the provisions of this Act.

APPROVED August 30, 1861.

No. 259.]

AN ACT

To establish certain Post Routes, therein named.

SECTION 1. *The Congress of the Confederate States of America do enact*, That there be established the following post routes, viz: From Loving Creek Post Office to Wade's Post Office, in Bedford County, Virginia. Also, from Charleston, in the County of Tallehatchie, to Friar's Point, in the County of Coahoma, Mississippi. Also from Culloden to Barnesville, in the State of Georgia. Also, that a route be established from Calhoun, on the Alabama and Florida Railroad, in the County of Lowndes, in the State of Alabama, to Benton, in said County, through Mount Willing and Gordonsville. Also, a Post Route from Clarksville, in Mecklenburg County, Virginia, to Brownsville, in the State of North Carolina. From Mullens to Lime Kiln, via Campbell Home, in Alabama. Also, from Morganton, in Burke County, North Carolina, to Johnson's Depot, Tennessee. Also, a Post Route from Louisville, in the County of Winston, to Vaiden, in the County of Carroll, in the State of Mississippi. Also, from Wilmington, North Carolina, to Wadesboro', via Wilmington, Charlotte and Rutherford Railroad. Also, from Jefferson, Ashe County, North Carolina, to Marion, Smyth County, Virginia. Also, from Clarksville to Spadra Bluff, in Johnson County, Arkansas.

APPROVED Aug. 30, 1861.

No. 260.]

AN ACT

Authorizing the President to inflict Retaliation upon the
Persons of Prisoners.

WHEREAS, The Government of the United States has placed in irons and lodged in dungeons, citizens of the Confederate States acting under the authority of Letters of Marque, issued in accordance with the laws of the Confederate States, by the President thereof, and have otherwise maltreated the same, and have seized and confined sundry other citizens of the said Confederate States, in violation of all principles of humane and civilized warfare: Therefore—

Be it enacted by the Congress of the Confederate States of America, That the President be, and he is hereby, authorized to select such prisoners taken from the United States, and in such numbers as he may deem expedient, upon the persons

of whom he may inflict such retaliation, in such measure and kind, as may seem to him just and proper.

APPROVED, Aug. 30, 1861.

No. 261.] AN ACT

To provide for the Defence of the Mississippi River.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the President be, and he is hereby, authorized to cause such floating defences, as he may deem best adapted to the protection of the Mississippi River, against a descent of iron plated steam gun-boats, to be constructed or prepared with the least possible delay.

APPROVED Aug. 30, 1861.

No. 262.] AN ACT

To amend an Act entitled "An Act to establish a Patent Office, and to provide for the granting and issue of patents for new and useful discoveries, inventions, improvements and designs," approved May 21, 1861.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the Commissioner of Patents, with the approval of the Attorney General, shall have power to appoint, in addition to the examiners of patents, provided by the second section of the above recited Act, such assistant examiners at a salary of fifteen hundred dollars per annum, as may be required to transact the current business of the Patent Office with dispatch.

SEC. 2. *And be it further enacted*, That the Commissioner, with like approval, may appoint a messenger for said office, at a salary of three hundred and sixty dollars per annum.

SEC. 3. *And be it further enacted*, That the Commissioner be, and he is hereby authorized to require applicants for patents, and all other persons with whom he is obliged to correspond or to whom drawings and other papers have to be returned for alteration or correction, to deposit a sufficient sum of money to pay the postage: *Provided*, That in no single case shall the deposit so required exceed two dollars.

APPROVED August 30, 1861.

No. 264.]

AN ACT

To provide a mode of authenticating claims for money against the Confederate States, not otherwise provided for.

SECTION 1. *The Congress of the Confederate States of America do enact*, That all parties having claims for money against the Government of the Confederate States, for the proof and payment of which there is no mode provided by existing laws, before receiving payment of the same, shall file them in the office of the Attorney General; and shall produce, before said officer, at such time, and in such manner as he shall appoint, their testimony proving or tending to prove such claims. And, at the next succeeding session of Congress after the hearing of proof, or at any session of Congress during which a hearing of proof upon any claim is had by the Attorney General, he shall report to the Congress such claims as he has allowed and recommend their payment, and he shall also report such claims, as he has refused to allow.

SEC. 2. *Be it further enacted*, That all citizens of the Confederate States holding demands against the government of the United States, may file the same in the office of the Attorney General; and the Attorney General shall hear proof of such claims, and cause such proof to be taken down in writing and filed in his office; or he may, in his discretion, permit written testimony, taken by deposition, or in answer to interrogatories filed, to be placed on file in his office, as evidence of such claims. But he shall not pass upon the sufficiency of such evidence, nor make a report to Congress upon such claims, until the close of the existing war.

APPROVED August 30, 1861.

No. 266.]

AN ACT

To collect, for distribution, the moneys remaining in the several Post Offices of the Confederate States at the time the postal service was taken in charge by said Government.

SECTION 1. *The Congress of the Confederate States of America do enact*, That it shall be the duty of the Postmaster General to collect all moneys due from the several Post-

masters within the Confederate States, and which they had not paid over at the time the Confederate States took the charge of the postal service, and the several Postmasters are hereby required to account to the General Post Office of this Government under the same rules, regulations and penalties that were prescribed by the law under which said moneys were received.

SEC. 2. The moneys so received shall be kept separate and distinct from the other funds of the Post Office Department, and shall constitute a fund for the *pro rata* payment of claims for postal service which accrued before the Postmaster General took charge of the postal service in the States respectively comprising this Confederacy, as may hereafter be provided.

SEC. 3. It shall be the duty of the Postmaster General to make proclamation that all persons who are citizens of the Confederate States of America, and who may have rendered postal service in any of the States of this Confederacy, under contracts or appointments made by the United States Government before the Confederate States Government took charge of such service, shall present their claims to his department, verified and established according to such rules as he shall prescribe, by a time therein to be set forth not less than six months, and requiring the claimant to state under oath, how much has been and the date of such payments, on account of the contract or appointment under which said claim occurred, and what fund or provision has been set apart or made for the further payment of the whole or any portion of the balance of such claim, by the Government of the United States, or of any of the States; and they shall also state, on oath, whether they performed fully the service according to their contracts or appointments during the time for which they claim pay, and if not, what partial service they did perform, and what deductions have been made from their pay, so far as they know, on account of any failure, or partial failure, to perform such service; and the Postmaster General shall, as soon as he shall have collected such moneys from said Postmasters, and ascertained the amount of claims against the Post Office Department and the amount received respectively by the claimants as aforesaid, and the provisions, if any, for future payment, make a report of the same, so that future action may be taken thereon as respects the distribution.

SEC. 4. All claims for postal service required to be pre-

sented by this bill shall be barred as against this fund, unless presented within six months after the proclamation of the Postmaster General shall have been made.

APPROVED Aug. 30, 1861.

No. 268.]

AN ACT

To require the receipt by the Postmasters of the Confederate States of Treasury Notes, in sums of five dollars and upwards, in payment of postage stamps or stamped envelopes.

SECTION 1. *The Congress of the Confederate States of America do enact*, That, so soon as the Postmaster General shall procure postage stamps and stamped envelopes, *that* the Postmasters throughout the Confederate States be required to receive the Treasury Notes of the Confederate States at par, for said stamps and stamped envelopes, in all cases where the amount of stamps or stamped envelopes applied for shall be five dollars or other sums for which the Confederate Treasury Notes are issued.

SEC. 2. *Be it further enacted*, That the endorsement by a member of Congress of his name on newspapers or other printed matter sent by him through the mail, shall not by reason of such endorsement subject him to letter or other increase of postage.

APPROVED Aug. 30, 1861.

No. 269.]

AN ACT

For the Sequestration of the Estates, Property and Effects of alien Enemies, and for the indemnity of citizens of the Confederate States, and persons aiding the same in the existing war with the United States.

WHEREAS, The Government and people of the United States have departed from the usages of civilized warfare in confiscating and destroying the property of the people of the Confederate States of all kinds, whether used for military purposes or not; *and whereas*, our only protection against such wrongs is to be found in such measures of retaliation as will ultimately indemnify our own citizens for their losses, and restrain the wanton excesses of our enemies: Therefore—

SECTION 1. *Be it enacted by the Congress of the Confederate States of America*, That all and every the lands, tenements and hereditaments, goods and chattels, rights and credits within these Confederate States, and every right and interest therein held, owned, possessed or enjoyed by or for any alien enemy since the twenty-first day of May, one thousand eight hundred and sixty-one, except such debts due to an alien enemy as may have been paid into the Treasury of any one of the Confederate States prior to the passage of this law, be, and the same are hereby, sequestered by the Confederate States of America, and shall be held for the full indemnity of any true and loyal citizen or resident of these Confederate States, or other person aiding said Confederate States in the prosecution of the present war between said Confederate States and the United States of America, and for which he may suffer any loss or injury under the act of the United States to which this Act is retaliatory, or under any other act of the United States, or of any State thereof authorizing the seizure, condemnation, or confiscation of the property of citizens or residents of the Confederate States, or other person aiding said Confederate States, and the same shall be seized and disposed of as provided for in this Act: *Provided, however*, When the estate, property or rights to be effected by this Act were, or are, within some State of this Confederacy, which has become such since said twenty-first day of May, then this Act shall operate upon, and as to such estate, property or rights, and all persons claiming the same from and after the day such State so became a member of this Confederacy, and not before: *Provided, further*, That the provisions of the Act shall not extend to the stocks or other public securities of the Confederate Government, or of any of the States of this Confederacy held or owned by any alien enemy, or to any debt, obligation, or sum due from the Confederate Government, or any of the States, to such alien enemy: *And provided, also*, That the provisions of this Act shall not embrace the property of citizens or residents of either of the States of Delaware, Maryland, Kentucky or Missouri, or of the District of Columbia, or the territories of New Mexico, Arizona, or the Indian Territory South of Kansas, except such of said citizens or residents as shall commit actual hostilities against the Confederate States, or aid and abet the United States in the existing war against the Confederate States.

SEC. 2. *And be it further enacted*, That it is, and shall be,

the duty of each and every citizen of these Confederate States speedily to give information to the officers charged with the execution of this law of any and every lands, tenements and hereditaments, goods and chattels, rights and credits within this Confederacy, and of every right and interest therein held, owned, possessed or enjoyed by or for any alien enemy as aforesaid.

SEC. 3. *Be it further enacted*, That it shall be the duty of every attorney, agent, former partner, trustee or other person holding or controlling any such lands, tenements or hereditaments, goods or chattels, rights or credits, or any interest therein, of or for any such alien enemy, speedily to inform the Receiver hereinafter provided to be appointed, of the same, and to render an account thereof, and, so far as is practicable, to place the same in the hands of such Receiver; whereupon, such person shall be fully acquitted of all responsibility for property and effects so reported and turned over. And any such person wilfully failing to give such information and render such account shall be guilty of a high misdemeanor, and upon indictment and conviction, shall be fined in a sum not exceeding five thousand dollars and imprisoned not longer than six months, said fine and imprisonment to be determined by the court trying the case, and shall further be liable to be sued by said Confederate States, and subjected to pay double the value of the estate, property or effects of the alien enemy held by him or subject to his control.

SEC. 4. It shall be the duty of the several Judges of this Confederacy to give this Act specially in charge to the Grand Juries of these Confederate States, and it shall be their duty at each sitting well and truly to enquire and report all lands, tenements and hereditaments, goods and chattels, rights and credits, and every interest therein, within the jurisdiction of said Grand Jury, held by or for any alien enemy, and it shall be the duty of the several Receivers, appointed under this Act, to take a copy of every such report, and to proceed in obtaining the possession and control of all such property and effects reported, and to institute proceedings for the sequestration thereof in the manner hereinafter provided.

SEC. 5. *Be it further enacted*, That each Judge of this Confederacy shall, as early as practicable, appoint a Receiver for each section of the State for which he holds a court, and shall require him, before entering upon the duties

of his office, to give a bond in such penalty as may be prescribed by the Judge, with good and sufficient security, to be approved by the Judge, conditioned that he will diligently and faithfully discharge the duties imposed upon him by law. And said officer shall hold his office at the pleasure of the Judge of the district or section for which he is appointed, and shall be removed for incompetency, or inefficiency, or infidelity in the discharge of his trust. And should the duties of any such Receiver, at any time, appear to the Judge to be greater than can be efficiently performed by him, then it shall be the duty of the Judge to divide the district or section into one or more other receivers' districts, according to the necessities of the case, and to appoint a Receiver for each of said newly created districts. And every such Receiver shall also, before entering upon the duties of his office, make oath in writing before the Judge of the district or section for which he is appointed, diligently, well and truly to execute the duties of his office.

SEC. 6. *Be it further enacted*, That it shall be the duty of the several Receivers aforesaid to take the possession, control and management of all lands, tenements and hereditaments, goods and chattels, rights and credits of each and every alien enemy within the section for which he acts. And to this end he is empowered and required, whenever necessary for accomplishing the purposes of this Act, to sue for and recover the same in the name of said Confederate States, allowing, in the recovery of credits, such delays as may have been, or may be, prescribed in any State as to the collection of debts therein during the war. And the form and mode of action, whether the matter be of jurisdiction in law or equity, shall be by petition to the court setting forth, as best he can, the estate, property, right or thing sought to be recovered, with the name of the person holding, exercising supervision over, in possession of or controlling the same, as the case may be, and praying a sequestration thereof. Notice shall thereupon be forthwith issued by the clerk of the court, or by the Receiver, to such person, with a copy of the petition, and the same shall be served by the Marshall or his deputy and returned to the court as other mesne process in law cases; whereupon, the cause shall be docketed and stand for trial in the court according to the usual course of its business, and the court or Judge shall, at any time, make all orders of seizure that may seem necessary to secure the subject matter of the suit from danger of

loss, injury, destruction or waste, and may, pending the cause, make orders of sale in cases that may seem to such Judge or court necessary to preserve any property sued for from perishing or waste: *Provided*, That in any case when the Confederate Judge shall find it to be consistent with the safe-keeping of the property so sequestered, to leave the same in the hands and under the control of any debtor or person in whose hands the real estate and slaves were seized, who may be in possession of the said property or credits, he shall order the same to remain in the hands and under the control of said debtor or person in whose hands the real estate and slaves were seized, requiring in every such case such security for the safe-keeping of the property and credits as he may deem sufficient for the purpose aforesaid, and to abide by such further orders as the court may make in the premises. But this proviso shall not apply to bank or other corporation stock, or dividends due or which may be due thereon, or to rents on real estate in cities. And no debtor or other person shall be entitled to the benefit of this proviso unless he has first paid into the hands of the Receiver all interests or net profits which may have accrued since the twenty-first May, eighteen hundred and sixty-one; and, in all cases coming under this proviso, such debtor shall be bound to pay over annually to the Receiver all interest which may accrue as the same falls due; and the person in whose hands any other property may be left shall be bound to account for, and pay over annually to the Receiver, the net income or profits of said property, and on failure of such debtor or other person to pay over such interest, net income or profits, as the same falls due, the Receiver may demand and recover the debt or property. And, wherever, after ten days' notice to any debtor or person in whose hands property or debts may be left, of an application for further security, it shall be made to appear to the satisfaction of the court that the securities of such debtor or person are not ample, the court may, on the failure of the party to give sufficient additional security, render judgment against all the parties on the bond for the recovery of the debt or property: *Provided, further*, That said court may, whenever in the opinion of the Judge thereof the public exigencies may require it, order the money due as aforesaid to be demanded by the Receiver, and if upon demand of the Receiver, made in conformity to a decretal order of the court requiring said Receiver to collect any debts for the payment of which se-

curity may have been given under the provisions of this Act, the debtor or his security shall fail to pay the same, then upon ten days' notice to said debtor and his security, given by said Receiver, of a motion to be made in said court for judgment for the amount so secured, said court, at the next term thereof, may proceed to render judgment against said principal and security, or against the party served with such notice, for the sum so secured with interest thereon, in the name of said Receiver, and to issue execution therefor.

SEC. 7. Any person in the possession and control of the subject matter of any such suit, or claiming any interest therein, may, by order of the court, be admitted as a defendant and be allowed to defend to the extent of the interest propounded by him; but no person shall be heard in defence until he shall file a plea, verified by affidavit and signed by him, setting forth that no alien enemy has any interest in the right which he asserts, or for which he litigates, either directly or indirectly, by trust, open or secret, and that he litigates solely for himself, or for some citizen of the Confederate States whom he legally represents; and when the defence is conducted for or on account of another, in whole or part, the plea shall set forth the name and residence of such other person, and the relation that the defendant bears to him in the litigation. If the cause involves matter which should be tried by a jury according to the course of the common law, the defendant shall be entitled to a jury trial. If it involves matters of equity jurisdiction, the court shall proceed according to its usual mode of procedure in such cases, and the several courts of this Confederacy may, from time to time, establish rules of procedure under this act, not inconsistent with the act or other laws of these Confederate States.

SEC. 8. *Be it further enacted*, That the clerk of the court shall, at the request of the receiver, from time to time, issue writs of garnishment, directed to one or more persons, commanding them to appear at the then sitting, or at any future term of the court, and to answer under oath what property or effects of any alien enemy he had at the service of the process, or since has had under his possession or control belonging to or held for an alien enemy, or in what sum, if any, he is or was at the time of service of the garnishment, or since has been indebted to any alien enemy, and the court shall have power to condemn the property or effects, or debts, according to the answer, and to make such rules and orders

for the bringing in of third persons claiming or disclosed by the answer to have an interest in the litigation as to it shall seem proper; but in no case shall any one be heard in respect thereto until he shall, by sworn plea, set forth substantially the matters before required of parties pleading. And the decree or judgment of the court, rendered in conformity to this act, shall forever protect the garnishee in respect to the matter involved. And in all cases of garnishment under this act, the Receiver may test the truth of the garnishee's answer by filing a statement, under oath, that he believes the answer to be untrue, specifying the particulars in which he believes the garnishee has, by omission or commission, not answered truly; whereupon the court shall cause an issue to be made between the Receiver and garnishee, and judgment rendered as upon the trial of other issues. And in all cases of litigation under this act the Receiver may propound interrogatories to the adverse party touching any matter involved in the litigation, a copy of which shall be served on the opposite party or his attorney, and which shall be answered under oath within thirty days of such service, and upon failure so to answer, the court shall make such disposition of the cause as shall to it seem most promotive of justice, or should it deem answers to the interrogatories necessary in order to secure a discovery, the court shall imprison the party in default until full answers shall be made.

SEC. 9. It shall be the duty of the District Attorney of the Confederate States, diligently to prosecute all causes instituted under this act, and he shall receive as a compensation therefor two per cent. upon and from the fruits of all litigation instituted under this act: *Provided*, That no matter shall be called litigated except a defendant be admitted by the court, and a proper plea be filed.

SEC. 10. *Be it further enacted*, That each Receiver appointed under this act shall, at least every six months, and as much oftener as he may be required, by the court, render a true and perfect account of all matters in his hands or under his control under the law, and shall make and state just and perfect accounts and settlements under oath of his collections of monies and disbursements under this law, stating accounts and making settlements of all matters separately, in the same way as if he were administrator of several estates of deceased persons by separate appointments. And the settlements and decrees shall be for each case or estate separately, so that the transaction in respect to each

alien enemy's property may be kept recorded and preserved separately. No settlement as above provided shall, however, be made until judgment or decree of sequestration shall have passed, but the court may at any time pending litigation, require an account of matters in litigation and in the possession of the Receiver, and may make such orders touching the same as shall protect the interest of the parties concerned.

SEC. 11. When the accounts of any receiver shall be filed respecting any matter which has passed sequestration, the Court shall appoint a day for settlement and notice thereof shall be published consecutively for four weeks in some newspaper near the place of holding the Court, and the clerk of the Court shall send a copy of such newspaper to the District Attorney of the Confederate States, for the Court, where the matter is to be heard, and it shall be the duty of said District Attorney to attend the settlement and represent the Government and to see that a full, true and just settlement is made. The several settlements preceding the final one shall be interlocutory only, and may be impeached at the final settlements, which latter shall be conclusive, unless reversed or impeached within two years, for fraud.

SEC. 12. *Be it further enacted*, That the Court having jurisdiction of the matter shall, whenever sufficient cause is shown therefor, direct the sale of any personal property, other than slaves, sequestered under this act, on such terms as to it shall seem best, and such sale shall pass the title of the person as whose property the same has been sequestered.

SEC. 13. All settlements of accounts of receivers for sequestered property shall be recorded and a copy thereof shall be forwarded by the clerk of the Court to the Treasurer of the Confederate States within ten days after the decree, interlocutory or final, has been passed; and all balances found against the Receiver shall by him be paid over into the Court, subject to the order of the Treasurer of the Confederate States, and upon the failure of the Receiver for five days to pay over the same, execution shall issue therefor, and he shall be liable to attachment by the Court and to suit upon his bond. And any one embezzling any money under this Act shall be liable to indictment, and on conviction shall be confined at hard labor for not less than six months nor more than five years, in the

discretion of the Court, and fined in double the amount embezzled.

SEC. 14. *Be it further enacted*, That the President of the Confederate States, shall, by and with the advice and consent of Congress, or of the Senate, if the appointment be made under the permanent Government, appoint three discreet Commissioners, learned in the law, who shall hold at the seat of Government two terms each year, upon notice given, who shall sit so long as the business before them shall require; whose duty it shall be, under such rules as they may adopt, to hear and adjudge such claims as may be brought before them by any one aiding this Confederacy in the present war against the United States, who shall allege that he has been put to loss under the act of the United States, in retaliation of which this act is passed, or under any other act of the United States, or of any State thereof, authorizing the seizure, condemnation or confiscation of the property of any citizen or resident of the Confederate States, or other person aiding said Confederate States in the present war against the United States, and the finding of such Commissioners in favor of any such claim shall be *prima facie* evidence of the correctness of the demand, and whenever Congress shall pass the claim, the same shall be paid from any money in the Treasury derived from sequestration under this act: *Provided*, That said Board of Commissioners shall not continue beyond the organization of the Court of Claims, provided for by the Constitution; to which Court of Claims the duties herein provided to be discharged by Commissioners shall belong upon the organization of said Court. The salaries of said Commissioners shall be at the rate of two thousand five hundred dollars per annum, and shall be paid from the Treasury of the Confederacy. And it shall be the duty of the Attorney General or his assistant to represent the interests of this Government in all cases arising under this act before said Board of Commissioners.

SEC. 15. *Be it further enacted*, That all expenses incurred in proceedings under this Act shall be paid from the sequestered fund, and the Judges, in settling accounts with Receivers, shall make to them proper allowances of compensation, taking two and a half per cent. on receipts, and the same amount on expenditures, as reasonable compensation, in all cases. The fees of the officers of court shall be such as are allowed by law for similar services in other cases, to be paid, however, only from the sequestered fund:

Provided, That all sums realized by any Receiver in one year for his services, exceeding five thousand dollars, shall be paid into the Confederate Treasury, for the use of the Confederacy.

SEC. 16. *Be it further enacted*, That the Attorney-General shall prescribe such uniform rules of proceeding under this law, not herein otherwise provided for, as shall meet the necessities of the case.

SEC. 17. *Be it further enacted*, That appeals may lie from any final decision of the court under this law, in the same manner and within the same time as is now, or hereafter may be by law prescribed for appeals in other civil cases.

SEC. 18. *Be it further enacted*, That the word "person" in this law includes all private corporations; and in all cases, when corporations become parties, and this law requires an oath to be made, it shall be made by some officer of such corporation.

SEC. 19. *Be it further enacted*, That the courts are vested with jurisdiction, and required by this Act, to settle all partnerships heretofore existing between a citizen and one who is an alien enemy; to separate the interest of the alien enemy, and to sequester it. And shall, also, sever all joint rights when an alien enemy is concerned, and sequester the interest of such alien enemy.

SEC. 20. *Be it further enacted*, That in all cases of administration of any matter or thing, under this act, the court having jurisdiction, may make such orders touching the preservation of the property or effects under the direction or control of the Receiver, not inconsistent with the foregoing provisions, as to it shall seem proper. And the Receiver may, at any time, ask and have the instructions of the court, or Judge, respecting his conduct in the disposition or management of any property, or effects under his control.

SEC. 21. That the Treasury Notes of this Confederacy, shall be receivable in payment of all purchases of property or effects sold under this Act.

SEC. 22. *Be it further enacted*, That nothing in this Act shall be construed to destroy or impair the lien or other rights of any creditor, a citizen or resident of either of the Confederate States, or of any other person, a citizen or resident, of any country, State, or Territory, with which this Confederacy is in friendship, and which person is not in actual hostility to this Confederacy. And any lien or

debt claimed against any alien enemy, within the meaning of this Act, shall be propounded and filed in the court, in which the proceedings of sequestration are had, within twelve months from the institution of such proceedings for sequestration; and the court shall cause all proper parties to be made and notices to be given, and shall hear and determine the respective rights of all parties concerned: *Provided, however*, that no sales or payments over of money shall be delayed for, or by reason of, such rights or proceedings; but any money realized by the Receiver, whether paid into the court, or Treasury, or still in the Receiver's hands, shall stand in lieu of that which produced said money, and be held to answer the demands of the creditors aforesaid, in the same manner as that which produced such money was. And all claims not propounded and filed as aforesaid, within twelve months as aforesaid, shall cease to exist against the estate, property, or effects sequestrated, or the proceeds thereof.

APPROVED August 30, 1861.

No. 270.]

AN ACT

To perpetuate testimony in cases of Slaves abducted or harbored by the enemy, and of other property seized, wasted or destroyed by them.

SECTION 1. *The Congress of the Confederate States of America do enact*, That when any slave or slaves owned by a citizen of the Confederate States, or an inhabitant thereof, shall be, or may have been abducted or harbored by the enemy, or by any person or persons acting under the authority, or color of authority of the United States Government, or engaged in the military or naval service thereof, during the existing war, it shall be lawful for the owner or his Attorney to appear before any Judge of the Confederate States, or a Commissioner of any Court thereof, or any Notary Public, or in case of there being no such officer within the county, city or corporation, where the proceedings are instituted, before any Justice of the Peace or

alderman, consenting to act in the premises, and adduce proof, oral or written, of the fact of such ownership and abduction or harboring. If the owner of such slave or slaves is laboring under the legal disability of infancy, insanity or coverture, the evidence tending to establish such ownership, and abduction or harboring, may be adduced by the proper legal representative of the owner. In all cases such owner, Attorney or representative shall make affidavit of the loss. Such affidavit shall not be taken as evidence of the fact of loss, unless it shall appear to the satisfaction of the officer taking the same that no other and better evidence can be obtained, which fact shall distinctly appear in the certificate of such officer; and it shall be the duty of the judicial officer taking cognizance of the case, to reduce to writing the oral evidence, and to retain the written evidence in support of the alleged ownership and loss, and within thirty days after the hearing, to transmit the same to the Secretary of State of the Confederate States, to be filed and preserved among the archives of the State Department, accompanied by a certificate from the said judicial officer, authenticating the report so made by him. And the said judicial officer shall also state in his certificate of authentication, whether, in his opinion, the evidence so heard and transmitted, is, or is not, entitled to credit. It shall be the duty of the Secretary of State to receive and file in his Department, the report so transmitted, and to furnish to the owners, attorney or representative a duly certified copy thereof, whenever the same shall be demanded.

SEC. 2. *And be it further enacted*, That whenever any property, other than slaves, real or personal, belonging to any citizen of the Confederate States, or any inhabitant thereof, shall be seized, wasted or destroyed by the enemy, during the existing war, or by any person or persons acting under the authority or color of authority of the United States Government, or engaged in the military or naval service thereof, the mode of taking and preserving proof thereof, shall conform in all respects to that prescribed in the above section, and have like effect.

SEC. 3. *And be it further enacted*, That the provisions of this act shall not be construed as implying that the Confederate States are in any way liable to make compensation for any of the property to which it refers.

APPROVED August 30, 1861.

No. 271.]

AN ACT

To provide for the Transmission of Money, Bonds or Treasury Notes.

The Congress of the Confederate States of America do enact, That the Secretary of the Treasury is authorized to make such arrangements for the transmission of the funds of the Confederate States as he shall deem expedient; and for that purpose the sum of twenty thousand dollars is hereby appropriated.

APPROVED August 30, 1861.

No. 272.]

AN ACT

To amend an act entitled "An Act recognizing the Existence of War between the United States and the Confederate States, and concerning Letters of Marque, Prizes and Prize Goods," approved May sixth, eighteen hundred and sixty-one; and an act entitled "An Act Regulating the Sale of Prizes and the Distribution thereof," approved May sixteenth, eighteen hundred and sixty-one.

SECTION 1. *The Congress of the Confederate States of America do enact,* That the seventh section of the first above recited act be so amended as to permit and authorize the breaking of bulk and the removal by the captors of the whole or any part of the goods found on board a captured vessel whenever such removal may be necessary for the safe carriage of such vessel into port, and also, in all cases where, by grounding or otherwise, the securing of the cargo or any part thereof may require the removal: *Provided,* That the person in command of the vessel making such capture shall, as soon as practicable, after landing the cargo or any part thereof, cause an exact inventory of the same to be made by the nearest magistrate, wherein shall be specified each and every article so landed, and the marks, if any thereon, and forward the same immediately to the Collector of the nearest port; the property so landed shall remain in the custody of such magistrate, and he shall retain possession thereof until the same can be delivered to the marshal; and the court before which such cargo shall be brought, in case the same be condemned, may allow such compensation to the magistrate as to the court may seem just and proper: *And, provided, further,* That when such removal shall be made for the purpose of lightening over bars and shoals, and the

goods removed shall, as soon thereafter as practicable, be returned on board the prize vessel, the same may be carried to port as if no removal had been made; and no delivery, as provided in the preceeding clause, to a magistrate shall be required.

SEC. 2. That the first section of the last above recited act be so amended as to allow the judge of a prize court, wherein any condemnation may be had, to order and decree that the said vessel and the cargo, or any part thereof, may, in his discretion, and to enhance the value thereof, be sold by the marshal of the adjoining District, and at such place therein as he may designate: *Provided, always,* That the duties upon all dutiable goods shall be paid from the proceeds of sale.

APPROVED August 30, 1861.

No. 273.]

AN ACT

Vesting certain powers in the Commissioners of the District Courts of the Confederate States.

SECTION 1. *The Congress of the Confederate States of America do enact,* That the Commissioners appointed by the District Courts of the Confederate States shall have power to issue warrants of arrest against offenders, for any crime or offence against the Confederate States, or the laws thereof, and to commit to prison or admit to bail such offender, as the case may be, for trial before such court, as may have cognizance of the offence, and with all the powers in relation to crimes and offences against the Confederate States, or the laws thereof, which are conferred on Justices of the Peace in relation to crimes and offences against the United States of America, by the Act of the twenty-fourth of September, seventeen hundred and eighty-four, of the Congress of said United States, entitled "An Act to establish the Judicial Courts of the United States."

SEC. 2. *And be it further enacted,* That said Commissioners shall have such compensation for their services as is given for like services to Commissioners of the United States, by the Act of the Congress of said United States, entitled "An Act to regulate the fees and costs to be allowed Clerks, Marshals and Attorneys of the Circuit and District Courts of the United States, and for other purposes," passed on the twenty-six of February, eighteen

hundred and fifty-three, or by the laws of the United States at that time; to be allowed by the Courts, and paid out of the Treasury of the Confederate States of America.

APPROVED August 30, 1861.

No. 275.]

AN ACT

To authorize the Appointment from Civil Life of Persons, to the Staffs of Generals.

The Congress of the Confederate States of America do enact, That the President may, in his direction, upon the application and recommendation of a General of the Confederate States Army, appoint from civil life, persons to the staff authorized by law of such officer, who shall have the same rank and pay as if appointed from the Army of the Confederate States.

APPROVED August 31, 1861.

No. 276.]

AN ACT

Providing for the Appointment of Adjutants of Regiments and Legions, of the grade of Subaltern, in addition to the Subalterns attached to Companies.

SECTION 1. *The Congress of the Confederate States of America do enact,* That Adjutants of Regiments and Legions, may be appointed by the President, upon the recommendation of the Colonel thereof, of the grade of Subaltern, in addition to the Subaltern officers attached to Companies, and said Adjutants, when so appointed, shall have the same rank, pay and allowances as are provided by law to Adjutants of Regiments.

APPROVED August 31, 1861.

No. 277.]

AN ACT

Providing for the Reception and Forwarding of Articles sent to the Army by Private Contribution.

The Congress of the Confederate States of America do enact, That the Secretary of War be authorized and required to make all necessary arrangements for the reception and forwarding of clothes, shoes, blankets, and other articles of ne-

cessity that may be sent to the Army by private contribution.

APPROVED August 31, 1861.

No. 278.] AN ACT

To allow Rations to Chaplains in the Army.

The Congress of the Confederate States of America do enact,
That Chaplains in the Army be, and they are hereby, allowed the same rations as privates.

APPROVED August 31, 1861.

No. 279.] AN ACT

To reimburse the State of Florida.

WHEREAS, The State of Florida has made large out-lays of money in the arming, equip[p]ing and maintaining troops for the service of the Confederate States, and in the construction of sea coast defences whereby the State of Florida has exhausted her treasury, and has great need of money to carry on her military operations: Therefore—

The Congress of the Confederate States of America do enact,
That the Secretary of the Treasury is hereby directed to issue to the State of Florida, upon the application of the Governor of said State, three hundred thousand dollars in Treasury Notes: *Provided,* That the said State deposit with the Secretary of the Treasury of the Confederate States an equal sum in the bonds of the State of Florida authorized to be issued under an ordinance of the Convention of said State, which bonds shall be held by the Secretary of the Treasury until the account of the State of Florida, for advances made for military purposes, is adjusted as Congress may direct.

APPROVED August 31, 1861.

No. 283.] [A RESOLUTION

In relation to Drillmasters appointed by States.]

WHEREAS, Under the authority of some of the States, Drillmasters were attached to various regiments; And, whereas, such office[r]s are not recognized by the laws of the

Confederate States, and consequently were not mustered into service: And whereas, several of such Drillmasters have nevertheless continued to do effective service, voluntarily, with their respective regiments: Therefore—

Resolved, That such Drillmasters be granted an honorable discharge whenever they shall apply therefor.

APPROVED August 31, 1861.

No. 284.]

AN ACT

Making an additional appropriation for the payment of Clerks and a Messenger for the Post Office Department, and to authorize the Postmaster General to appoint an additional Messenger for the Post Office Department.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the sum of five thousand dollars be, and the same is, hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of such temporary Clerks as the Postmaster General may appoint for the Post Office Department, and for the payment of an additional Messenger for the Post Office Department, for the fiscal year ending February eighteenth, eighteen hundred and sixty-two.

SEC. 2. *Be it further enacted*, That the Postmaster General be, and he is, hereby, authorized to appoint an additional Messenger for the Post Office Department, whose compensation shall not exceed four hundred dollars per annum.

APPROVED August 31, 1861.

No. 285.]

AN ACT

To establish the rates of postage on newspapers and periodicals, sent to dealers therein through the mail, or by express over post roads.

SECTION 1. *The Congress of the Confederate States of America do enact*, That persons engaged as dealers in newspapers and periodicals may receive by mail any quantity of such papers and periodicals as they may order, on the payment at the place of delivery, of the same rate of postage

as is required by the existing law to be paid by the regular subscribers to such newspapers or periodicals.

SEC. 2. It shall be lawful for persons engaged in buying and selling newspapers and periodicals, to carry any quantity of such papers and periodicals over the post roads of the Confederate States, outside of the mail, upon prepaying the postage at the same rate charged to regular subscribers to such papers and periodicals into the post office nearest the place of publication or purchase thereof; and such prepayment shall be indicated by the stamp of such post office or by writing upon the paper so sent.

SEC. 3. Any person violating the provisions of this act shall forfeit and pay the sum of fifty dollars, to be recovered by action of debt in the name and for the use of the Confederate States.

APPROVED August 31, 1861.

No. 287.]

RESOLUTIONS

To provide Troops in the field with Bread and fresh Provisions.

Resolved by the Congress of the Confederate States of America, That the Secretary of War be, and he is hereby, directed to furnish to such of our troops in the field as desire it, upon requisition made, and whenever practicable, in lieu of the usual ration of flour an equivalent of well backed bread; to this end he is authorized to establish bakeries in such numbers and at such points as may be necessary or to make contracts for the supply of such bread.

Resolved, That a daily ration of fresh vegetables be furnish[ed] to all troops whenever the same can be provided at reasonable cost and charges to the Government.

APPROVED August 31, 1861.

No. 288.]

RESOLUTIONS

In regard to certain Moneys of the Congress.

Resolved, That J. J. Hooper, Secretary of the Congress, be directed to place the sum of three hundred and twenty-five dollars, for which he sold the iron safe of the Congress

to the Governor of Alabama, to the credit of the contingent fund of the Congress.

Resolved, further, That the sums for which the articles of furniture of the Congress, at Montgomery, and of the Committee on the Revision of the Laws, were sold, be also placed to the credit of said contingent fund, by the Agent of Treasury Department under whose direction the said articles were sold.

Resolved, further, That said Secretary report to the Congress, at its next session, his action under these resolutions.

APPROVED August 31, 1861.

No. 289.]

RESOLUTIONS

In respect to the Accounts of the Congress.

Resolved by the Congress of the Confederate States of America, That the accounts against the Congress, based on and being within the estimates of the Secretary for expenses payable out of the contingent fund of the Congress, shall be paid out of said fund, where such estimates are marked "Approved" by the Chairman of the Committee on Accounts, and where the said Secretary certifies the accounts founded thereon to be just and correct.

Resolved, further, That accounts against the Congress, approved by said Committee of Accounts, be paid out of said contingent fund.

APPROVED August 31, 1861.

By virtue of the President's Proclamation hereunto sub-joined, Congress re-assembled on the 3d day of September, 1861, when the two following Acts were passed

PROCLAMATION

BY THE

PRESIDENT OF THE CONFEDERATE STATES.

WHEREAS, through accident, a bill to authorize the President to continue the appointments made by him in the military and naval service during the recess of Congress or the present session, and to submit them to Congress at its next session, failed to be delivered to the President for his signature prior to the adjournment of Congress, and whereas, the failure of said bill to become a law, would cause serious inconvenience to the public service—

Now, therefore, I, JEFFERSON DAVIS, President of the Confederate States, do issue this my proclamation, convoking the Congress of the Confederate States for the transaction of business, at the Capitol, in the city of Richmond, on the 3d day of September, at 12 o'clock, noon, of that day, of which all who shall at that time be entitled to act as members of that body are hereby required to take notice.

* *
* SEAL *
* *

Given under my hand and the Seal of the Confederate States, at Richmond, this 2nd day of September, A. D. 1861.

JEFFERSON DAVIS.

By the President,

R. M. T. HUNTER, *Secretary of State*,

No. 290.]

AN ACT

To authorize the President to continue the appointments made by him, in the Military and Naval Service, during the recesses of Congress, or the last or present session, and to submit them to Congress at its next session.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the President be authorized to continue

the appointments made by him, in the Military and Naval Service, during the recesses of Congress, or during the last or present session, and to submit them to Congress at the commencement of its next session.

APPROVED September 3, 1861.

No. 291.]

AN ACT

Supplemental to an Act to establish the Rates of Postage on Newspapers and Periodicals sent to dealers therein through the Mails, or by Express over Post Roads.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the word "the" where it last occurs in the second section of said Act be, and the same is hereby, stricken out, and the word "each" substituted in its stead.

APPROVED September 3, 1861.



CONFEDERATE STATES OF AMERICA, }
DEPARTMENT OF JUSTICE. }

I do hereby certify that the foregoing LAWS AND RESOLUTIONS have been carefully compared with the original Rolls on file in this Department.

JAMES M. MATTHEWS,
Law Clerk.

RICHMOND, 4th September, 1861.



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ERRATA.

Act No. 275, page 71, line 5. For "direction" read "discretion."









